

# EXHIBIT 6



## **LABATON SUCHAROW LLP**

### **INVESTOR PROTECTION LITIGATION**

# THE FIRM AND ITS ACHIEVEMENTS

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Founded in 1963, Labaton Sucharow LLP (“Labaton Sucharow”) is an internationally respected law firm based in New York City and has relationships throughout the U.S., Europe and the world. The Firm consists of more than 60 attorneys and a professional support staff that includes certified public accountants, licensed private investigators, resident securities analysts and 17 paralegals. The Firm prosecutes major complex litigation in the United States, and has successfully conducted a wide array of representative actions (principally class, mass and derivative) in the areas of securities, antitrust, merger/ acquisition, limited partnership, ERISA, product liability, and consumer litigation. Labaton Sucharow’s Investor Protection Litigation Group offers comprehensive services for our institutional investor clients and has recovered, through trial and settlement, more than \$3 billion for the benefit of investors who have been victimized by such diverse schemes as stock price manipulation, mismanagement, and fraudulent offerings of securities. Through its efforts, the litigation group has also obtained meaningful corporate governance reforms to minimize the likelihood of repetitive wrongful conduct. Visit our website at [www.labaton.com](http://www.labaton.com) for more information about our dynamic firm.

## CORPORATE GOVERNANCE

Labaton Sucharow is committed to corporate governance reform. Through its leadership of membership organizations which seek to advance the interests of shareholders and consumers, Labaton Sucharow seeks to strengthen corporate governance and support legislative reforms which improve and preserve shareholder and consumer rights.

The Firm is a patron of the John L. Weinberg Center for Corporate Governance of the University of Delaware (“The Center”). The Center provides a forum for business leaders, directors of corporate boards, the legal community, academics, practitioners, graduate and undergraduate students, and others interested in corporate governance issues to meet and exchange ideas. One of Labaton Sucharow’s senior partners, Edward Labaton, is a member of the Advisory Committee of The Center. Additionally, Mr. Labaton has served for more than 10 years as a member of the Program Planning Committee for the annual ALI-ABA Corporate Governance Institute, and serves on the Task Force on the Role of Lawyers in Corporate Governance of the Association of the Bar of the City of New York.

On April 1, 2009, Partner Ira Schochet began his two-year term as President of the National Association of Shareholder and Consumer Attorneys (NASCAT), a membership organization of approximately 100 law firms that practice class action and complex civil litigation. Through the aegis of NASCAT and other organizations, the Firm continues to advocate against those who would seek to weaken shareholder and consumer rights through ill-conceived legislative or regulatory action. Continuing its spirit of service, Mr. Schochet follows the path of Chairman Lawrence Sucharow who was privileged to be selected by his peers to serve as President of NASCAT in 2003-2005.

On behalf of its institutional and individual investor clients, Labaton Sucharow has achieved some of the largest precedent-setting settlements since the enactment of the Private Securities Litigation Reform Act of 1995 (“PSLRA”), and has helped avert future instances of securities fraud by negotiating substantial corporate governance reforms as conditions of many of its largest settlements.

Because of the depth of their experience and deep commitment to the principles of corporate governance, many Labaton Sucharow partners have served as featured speakers on topics relating to corporate governance and reform at various symposia and lectures.

As a result of Labaton Sucharow’s extensive experience and commitment to corporate governance reform, the Firm’s clients have secured meaningful reforms, in addition to substantial monetary recoveries, in significant settlements such as:

- ***In re Waste Management, Inc. Securities Litigation***, Civ. No. H-99-2183 (S.D. Tex.): Labaton Sucharow, acting as Lead Counsel for the State of Connecticut Retirement Plans & Trust Funds, caused the Company to present a binding resolution to declassify its board of directors, which was approved by its shareholders. As a consequence of Labaton Sucharow’s efforts, the Company further agreed to amend its Audit Committee charter, which led to its enhanced effectiveness.
- ***In re Vesta Insurance Group Securities Litigation***, Civ. No. CV-98-W-1407-S (N.D. Ala.): Labaton Sucharow, acting as Lead Counsel for the Florida State Board of Administration, caused the Company to adopt provisions requiring that: (i) a majority of its Board members be independent; (ii) at least one independent director be experienced in corporate governance; (iii) the audit,

nominating and compensation committees be comprised entirely of independent directors; and (iv) the audit committee comply with the recommendations of the Blue Ribbon Panel on the effectiveness of audit committees.

- ***In re Orbital Sciences Corporation Securities Litigation***, Civ. No. 99-197-A (E.D. Va.): Labaton Sucharow, acting as Lead Counsel for the New York City Pension Funds, negotiated the implementation of measures concerning the Company's quarterly review of its financial results, the composition, role and responsibilities of its Audit and Finance committee, and the adoption of a Board resolution providing guidelines regarding senior executives' exercise and sale of vested stock options.
- ***In re Bristol-Myers Squibb Securities Litigation***, Civ. No. 00-1990 (D.N.J.): Labaton Sucharow, acting as Lead Counsel for the LongView Collective Investment Fund of the Amalgamated Bank, negotiated noteworthy corporate governance reforms. Bristol-Myers Squibb ("BMS") has agreed to publicly disclose the following information concerning all of its drugs marketed for at least one indication: a description of the clinical study design and methodology; results of the clinical trials; and safety results, including the reporting of adverse events seen during the clinical trials. The disclosures will be posted on BMS's website, [www.BMS.com](http://www.BMS.com), as well as an industry website, [www.clinicalstudyresults.org](http://www.clinicalstudyresults.org). BMS has agreed to post these disclosures for a 10-year period following approval of the settlement, and has further agreed that any modifications to the disclosure protocol must be approved by the Court, at the request of Labaton Sucharow as Lead Counsel, unless the modifications increase the scope of the disclosures. The

corporate reform measures obtained in this case exceed the scope of reforms obtained by the New York State Attorney General's office in the settlement of an action against GlaxoSmithKline ("GSK") arising from the sale of Paxil, an antidepressant. The Paxil settlement is limited to drugs sold in the United States, whereas as a result of the BMS settlement, the company must post the clinical trial results of drugs marketed in any country throughout the world.

- ***The Boeing Company***, Civ. No. 03 CH 15039 and Civ. No. 03 CH 16301 (Cook Co., Ill, Ch. Div.): In 2006, Labaton Sucharow, acting as Lead Counsel for Plaintiffs in a derivative class action against the directors of The Boeing Company ("Boeing"), achieved a landmark settlement establishing unique and far-reaching corporate governance standards relating to ethics compliance, provisions that obligated Boeing to contribute significant funds over and above base compliance spending to implement the various prescribed initiatives. The terms were well designed to provide for early detection and prevention of corporate misconduct. They were comprehensive and integrated, enhancing effectiveness by providing for top-down oversight, direction and planning; and buttressed by extensive and coordinated bottom-up and horizontal reporting. They were also designed to enhance Board independence and effectiveness and, by creating a direct reporting role to the Board, the independence of the management level oversight functions.
- ***In re Take-Two Interactive Securities Litigation***, No. 06-CV-803-RJS (S.D.N.Y.): In 2009, Labaton Sucharow, acting as Lead Counsel for Lead Plaintiffs New York City Employees' Retirement System, New York City Police Pension Fund and New York City Fire Department Pension Fund in a securities

class action against Take-Two Interactive Software, Inc. (“Take-Two”) and its officers and directors, achieved significant corporate governance reforms. Take-Two is required to adopt a policy, commonly referred to as “clawback” provision, providing for the recovery of bonus or incentive compensation paid to senior executives in the event that such compensation was awarded based on financial results later determined to have been erroneously reported as a result of fraud or other knowing misconduct by the executive. The Company also is required to adopt a policy requiring that its Board of Directors submit any stockholder rights plan (also commonly known as a “poison pill”) that is greater than 12 months in duration to a vote of stockholders. Finally, Take-Two is required to adopt a bylaw providing that no business may be properly brought before an annual meeting of stockholders by a person other than a stockholder unless such matter has been included in the proxy solicitation materials issued by the Company.

## **NOTABLE LEAD COUNSEL APPOINTMENTS**

Labaton Sucharow’s institutional and individual investor clients are regularly appointed by federal courts to serve as lead plaintiffs in prominent securities litigations brought under the PSLRA. Since January 2003, dozens of state, city and county public pension funds and union funds have selected Labaton Sucharow to represent them in federal securities class actions and advise them as securities litigation/investigation counsel. Listed below are a few of our current notable Lead Counsel appointments.

***IN RE ROYAL BANK OF SCOTLAND GROUP PLC SECURITIES LITIGATION***  
*No. 1:09-cv-00300-DAB (S.D.N.Y.)*

Representing Mississippi Public Employees’ Retirement System  
 as Co-Lead Plaintiff

***IN RE SATYAM COMPUTER SERVICES, LTD. SECURITIES LITIGATION***  
*No. 1:09-md-02027-BSJ (S.D.N.Y.)*

Representing Mineworkers Pension Scheme  
as Co-Lead Plaintiff

***IN RE THE BEAR STEARNS COMPANIES INC. SECURITIES, DERIVATIVE AND  
EMPLOYEE RETIREMENT INCOME SECURITY ACT (ERISA) LITIGATION***  
*No. CV:08-MD-01963-RWS (S.D.N.Y.)*

Representing Michigan Retirement Systems  
as Co-Lead Plaintiff

***IN RE COUNTRYWIDE SECURITIES LITIGATION***  
*No. C 07-5295 MRP (MANX) (C.D. CAL.)*

Representing the State of New York and the New York City Pension Funds  
as Lead Plaintiffs

***IN RE BROADCOM SECURITIES LITIGATION***  
*No. CV-05036-R (C.D. CAL.)*

Representing the New Mexico State Investment Council  
as Lead Plaintiff

***IN RE AMERICAN INTERNATIONAL GROUP, INC. SECURITIES LITIGATION,***  
*No. 04 Civ. 8141 (JES) (S.D.N.Y.)*

Representing the State of Ohio  
as Lead Plaintiff

***IN RE HEALTHSOUTH CORPORATION SECURITIES LITIGATION,***  
*Consolidated Case No. CV-03-BE-1501-S (N.D. Ala.)*

Representing New Mexico State Investment Council,  
the New Mexico Educational Retirement Board,  
and the State of Michigan Retirement System  
as Co-Lead Plaintiffs

## **TRIAL EXPERIENCE**

Few securities class action cases go to trial. But when it is in the best interests of its clients and the class, Labaton Sucharow repeatedly has demonstrated its willingness and ability to try these complex securities cases before a jury.

Labaton Sucharow's recognized willingness and ability to bring cases to trial significantly increases the ultimate settlement value for shareholders. For example, in *In re Real Estate Associates Limited Partnership Litigation*, when defendants were unwilling to settle for an amount Labaton Sucharow and its clients viewed as fair, we tried the case with co-counsel for six weeks and obtained a landmark \$184 million jury verdict in November 2002. The jury supported plaintiffs' position that defendants knowingly violated the federal securities laws, and that the general partner had breached his fiduciary duties to plaintiffs. The \$184 million award was one of the largest jury verdicts returned in any PSLRA action and one in which the plaintiff class, consisting of 18,000 investors, recovered 100% of their damages.

In *In re Vivendi Universal S.A. Securities Litigation*, Labaton Sucharow represents institutional investors located in Canada, France, Ireland and Italy and other countries who, having purchased Vivendi stock or American Depository Shares during the Relevant Period, have either opted out of or been excluded from the *Vivendi* class action (the "Individual Plaintiffs"). A trial date is pending for 2010.

## NOTABLE SUCCESSES

Labaton Sucharow has achieved notable successes in major securities litigations on behalf of its clients and certified investor classes.

- ***In re Waste Management, Inc. Securities Litigation***, Civ. No. H-99-2183 (S.D. Tex.). In 2002, Judge Melinda Harmon approved an extraordinary settlement that provided for recovery of \$457 million in cash, plus an array of far-reaching corporate governance measures. At that time, this settlement was the largest common fund settlement of a securities action achieved in any court within

the Fifth Circuit and the third-largest achieved in any federal court in the nation.

Judge Harmon noted, among other things, that Labaton Sucharow “obtained an outstanding result by virtue of the quality of the work and vigorous representation of the Class.”

- ***In re Bristol-Myers Squibb Securities Litigation***, Civ. No. 00-1990 (D.N.J.).

After prosecuting securities fraud claims against BMS for more than five years, Labaton Sucharow reached an agreement to settle the claims for \$185 million and significant corporate governance reforms. This settlement is the second largest recovery against a pharmaceutical company, and it is the largest recovery ever obtained against a pharmaceutical company in a securities fraud case involving the development of a new drug. Moreover, the settlement is the largest ever obtained against a pharmaceutical company in a securities fraud case that did not involve a restatement of financial results.

- ***In re Vesta Insurance Group, Inc. Securities Litigation***, Civ. No. CV-98-

AR-1407 (N.D. Ala.). After years of protracted litigation, Labaton Sucharow secured a settlement of \$78 million on the eve of trial.

- In ***Abrams v. VanKampen Funds, Inc.***, 01 C 7538 (N.D. Ill.), in January 2006 Labaton Sucharow obtained final approval of a \$31.5 million settlement in an innovative class action concerning VanKampen’s senior loan mutual fund, alleging that the fund overpriced certain senior loan interests where market quotations were readily available. The gross settlement fund constitutes a recovery of about 70% of the class’s damages as determined by plaintiffs’ counsel.

- In *re Orbital Sciences Corp. Securities Litigation*, Civ. No. 99-197-A (E.D. Va.). After cross-motions for summary judgment were fully briefed, defendants (and Orbital's auditor in a related proceeding) agreed to a \$23.5 million cash settlement, warrants, and substantial corporate governance measures.
- In *In re CapRock Communications Corp. Securities Litigation*, Civ. No. 3-00-CV-1613-R (N.D. Tex.), Labaton Sucharow represented a prominent Louisiana-based investment adviser in claims alleging violations of the federal securities laws. The case settled for \$11 million in 2003.
- In the well-known *In re Prudential Securities Inc. Limited Partnership Litigation*, Civ. No. M-21-67 (S.D.N.Y.), the late Judge Milton Pollack cited the “Herculean” efforts of Labaton Sucharow and its Co-Lead Counsel and, in approving a \$110 million partial settlement, stated that “this case represents a unique recovery – a recovery that does honor to every one of the lawyers on your side of the case.”
- In *In re PaineWebber Limited Partnerships Litigation*, Master File No. 94 Civ. 832/7 (SHS) (S.D.N.Y.), Judge Sidney H. Stein approved a settlement valued at \$200 million and found “that Class Counsel’s representation of the Class has been of high caliber in conferences, in oral arguments and in work product.”
- In *Rosengarten v. International Telephone & Telegraph Corp.*, Civ. No. 76-1249 (N.D.N.Y.), Judge Morris Lasker noted that the Firm “served the corporation and its stockholders with professional competence as well as admirable intelligence, imagination and tenacity.”

- In *In re Prudential-Bache Energy Income Partnerships Securities Litigation*, MDL No. 888, an action in which Labaton Sucharow served on the Executive Committee of Plaintiffs' Counsel, Judge Marcel Livaudais, Jr., of the United States District Court for the Eastern District of Louisiana, observed that:

Counsel were all experienced, possessed high professional reputations and were known for their abilities. Their cooperative effort in efficiently bringing this litigation to a successful conclusion is the best indicator of their experience and ability . . . .

The Executive Committee is comprised of law firms with national reputations in the prosecution of securities class action and derivative litigation. The biographical summaries submitted by each member of the Executive Committee attest to the accumulated experience and record of success these firms have compiled.

- In *In re Adelphia Communications Corp. Securities & Derivative Litigation*, Civ. No. 03 MD 1529 (LMM) (S.D.N.Y.), Labaton Sucharow represents the New York City Employees' Retirement System (and certain other New York City pension funds) and the Division of Investment of the New Jersey Department of the Treasury in separate individual actions against Adelphia's officers, auditors, underwriters, and lawyers. To date, Labaton Sucharow has fully resolved certain of the claims brought by New Jersey and New York City for amounts that significantly exceed the percentage of damages recovered by the Class. New Jersey and New York City continue to prosecute their claims against the remaining defendants.

- In *STI Classic Funds v. Bollinger Industries, Inc.*, No. 96-CV-0823-R (N.D. Tex.), Labaton Sucharow commenced related suits in both state and federal courts in Texas on behalf of STI Classic Funds and STI Classic Sunbelt Equity Fund,

affiliates of the SunTrust Bank, the fifth-largest bank in the United States. As a result of Labaton Sucharow's efforts, the class of Bollinger Industries, Inc. investors on whose behalf the bank sued obtained the maximum recovery possible from the individual defendants and a substantial recovery from the underwriter defendants. Notwithstanding a strongly unfavorable trend in the law in the State of Texas, and strong opposition by the remaining accountant firm defendant, Labaton Sucharow has obtained class certification and continues to prosecute the case against that firm.

- In ***In re Just for Feet Noteholder Litigation***, Civ. No. CV-00-C-1404-S (N.D. Ala.), Labaton Sucharow, as Lead Counsel, represents Lead Plaintiff Delaware Management and the Aid Association for Lutherans with respect to claims brought on behalf of noteholders. On October 21, 2005, Chief Judge Clemon of the U.S. District Court for the Northern District of Alabama preliminarily approved Plaintiffs' settlement with Banc of America Securities LLC, the sole remaining defendant in the case, for \$17.75 million. During the course of the litigation, Labaton Sucharow obtained certification for a class of corporate bond purchasers in a ground-breaking decision, *AAL High Yield Bond Fund v. Ruttenberg*, 229 F.R.D. 676 (N.D. Ala. 2005), which is the first decision by a federal court to explicitly hold that the market for high-yield bonds such as those at issue in the action was efficient.
- In ***In re InterMune Securities Litigation***, Master File No. 03-2454 SI (N.D. Cal. 2005), Labaton Sucharow commenced an action on behalf of its client, a substantial investor, against InterMune, a biopharmaceutical firm, and certain of

its officers, alleging securities fraud in connection with InterMune's sales and marketing of a drug for off-label purposes. Notwithstanding higher pleading and proof standards in the jurisdiction in which the action had been filed, Labaton Sucharow utilized its substantial investigative resources and creative alternative theories of liability to successfully obtain an early, pre-discovery settlement of \$10.4 million. The Court complimented Labaton Sucharow on its ability to obtain a substantial benefit for the Class in such an effective manner.

- In ***In re St. Paul Travelers Securities Litigation***, 04-CV-3801 (D. Minn.), Labaton Sucharow was able to successfully negotiate the creation of an all cash settlement fund to compensate investors in the amount of \$67.5 million in November 2005. This settlement represents the third-largest securities class action settlement in the Eighth Circuit and one of the top 100 largest settlements of all time.
- In ***In re El Paso Corporation Securities Litigation***, Civ. No. H-02-2717 (S.D. Tex.), Labaton Sucharow secured a \$285 million class action settlement against the El Paso Corporation. The case involved a securities fraud stemming from the Company's inflated earnings statements, which cost shareholders hundreds of millions of dollars during a four-year span. The settlement was approved by the Court on March 6, 2007.
- Labaton Sucharow serves as Co-Lead Counsel in ***In re HealthSouth Securities Litigation***, Civ. No CV-03-BE-1500-S (N.D. Ala.), a case stemming from the largest fraud ever perpetrated in the healthcare industry. In early 2006, Lead Plaintiffs negotiated a settlement of \$445 million with defendant HealthSouth.

This partial settlement, comprised of cash and HealthSouth securities to be distributed to the class, is one of the largest in history. In addition, in early 2009 Lead Plaintiffs negotiated a settlement of \$109 million with Ernst & Young LLP. This settlement is one of the largest settlements ever obtained against an outside auditor in a class action securities fraud case. Lead Plaintiffs continue their prosecution of the litigation against Richard Scrushy, HealthSouth's former CEO, and UBS, among others.

- In ***Desert Orchid Partners, L.L.C. v. Transactions Systems Architects, Inc.***, Civ. No. 02 CV 533 (D. Neb.), Labaton Sucharow represented the Genesee Employees' Retirement System as Lead Plaintiff in claims alleging violations of the federal securities laws. On March 2, 2007, the Court granted final approval to the settlement of this action for \$24.5 million in cash.
- In ***In re SupportSoft Securities Litigation***, Civ. No. C 04-5222 SI (N.D. Cal.), Labaton Sucharow secured a \$10.7 million settlement on October 2, 2007 against SupportSoft, Inc. The action alleged that the defendants had artificially inflated the price of the Company's securities by re-working previously entered into license agreements for the Company's software in order to accelerate the recognition of revenue from those contracts.
- In ***In re St. Paul Traveler's II Securities Litigation***, Civ. No. 04-4697 (JRT/FLN) (D. Minn.), the second of two cases filed against St. Paul Travelers by Labaton Sucharow LLP, arose from the industry-wide insurance scandal involving American International Group, Marsh McClellan, the St. Paul Companies and numerous other insurance providers and brokers. On July 23, 2008, the Court

granted final approval of the \$77 million settlement and certified the settlement Class.

- On September 9, 2008, the Court granted final approval of the \$20 million settlement in *In re International Business Machines Corp. Securities Litigation*, Civ. No. 1:05-cv-6279 (AKH) (S.D.N.Y.), in which Labaton Sucharow served as Lead Counsel. The action alleged that that International Business Machines Corp. (“IBM”), and its Chief Financial Officer, Mark Loughridge, made material misrepresentations and omissions concerning IBM’s expected 2005 first quarter earnings, IBM’s expected 2005 first quarter operational performance, and the financial impact of IBM’s decision to begin expensing stock options on its 2005 first quarter financial statements.
- In *In re General Motors Corp. Securities Litigation*, No. 06-1749, (E.D. Mich.), Co-Lead Counsel Labaton Sucharow represented Lead Plaintiffs Deka Investment GmbH and Deka International S.A. Luxembourg in claims alleging that General Motors, and certain of GM’s officers and directors (including CEO Rick Wagoner), issued a series of false and misleading statements to investors about the auto maker’s financial health going back to 2000. On July 21, 2008, a settlement was reached whereby GM will make a cash payment of \$277 million and Defendant Deloitte & Touche LLP, which served as GM’s outside auditor during the period covered by the action, agreed to contribute an additional \$26 million in cash.
- In *In re American International Group, Inc. Securities Litigation*, Master File No. 04 Civ. 8141 (JES) (AJP) (S.D.N.Y.), Lead Counsel Labaton Sucharow

represents Lead Plaintiff Ohio Public Employees Retirement System, State Teachers Retirement System of Ohio, and Ohio Police & Fire Pension Fund, along with the Attorney General of the State of Ohio. On October 3, 2008, a \$97.5 million settlement between the Lead Plaintiff and PricewaterhouseCoopers LLP was announced. The settlement, which still must be approved by the Court, is believed to be the eighth largest by an accounting firm to settle a securities fraud class action.

## NOTABLE SUCCESSES IN OPTIONS BACKDATING CASES

- In *In re Monster Worldwide, Inc. Securities Litigation*, No. 07-CV-02237 (S.D.N.Y.), Labaton Sucharow represented Middlesex County Retirement System in claims alleging that Defendants engaged in a long-running scheme to backdate Monster's stock option grants to attract and retain employees without recording the resulting compensation expenses. On July 30, 2008, the parties signed a Memorandum of Understanding reflecting a \$47.5 million settlement of the class action.
- In *In re Mercury Interactive Corp. Securities Litigation*, Civ. No. 5:05-CV-3395 (N.D. Cal.), Labaton Sucharow reached an agreement to settle for \$117.5 million, a figure representing one of the largest known settlements or judgments in an options backdating suit. The allegations in *Mercury* concern backdated option grants used to compensate employees and officers of the Company. Mercury's former CEO, CFO, and General Counsel actively participated in and benefited from the options backdating scheme, which came at the expense of Mercury shareholders and the

investing public. Labaton Sucharow and Hewlett-Packard's counsel executed a Stipulation of Settlement and the Court granted preliminary approval of the settlement on June 2, 2008. On September 25, 2008, the Court granted final approval of the settlement.

- In ***In re American Tower Corporation Securities Litigation***, Civ. No. 06 CV 10933 (MLW) (D. Mass.), Labaton Sucharow represented the Steamship Trade Association-International Longshoreman's Association Pension Fund (STA-ILA) in claims alleging that certain of American Tower Corporation's current and former officers and directors improperly backdated the Company's stock option grants and made materially false and misleading statements to the public concerning the Company's financial results, option grant policies and accounting, causing damages to investors. On June 11, 2008, the Court granted final approval of the \$14 million settlement.
- Labaton Sucharow serves as Lead Counsel in ***In re HCC Insurance Holdings, Inc. Securities Litigation***, Civ. No. 4:07-cv-801 (S.D. Tex.), a case alleging that certain of HCC's current and former officers and directors improperly backdated the Company's stock option grants and made materially false and misleading statements to the public concerning the Company's financial results, option grant policies and accounting, causing damages to investors. On June 17, 2008, the Court granted final approval of the \$10 million settlement.

Among the institutional investor clients Labaton Sucharow represents and advises are:

Academy Capital Management  
Arkansas Carpenters Pension Fund  
Asbestos Workers Local 24

Baltimore County Retirement System  
State-Boston Retirement System  
California Public Employees' Retirement System  
Central Laborers' Pension Fund  
Connecticut Retirement Plans and Trust Funds  
Genesee County Employees' Retirement System  
Iron Workers Local 16  
Town of Jupiter Police Officer's Retirement Fund  
Lawndale Capital Management  
LongView Collective Investment Fund of the Amalgamated Bank  
City of Macon  
Commonwealth of Massachusetts Pension Reserves Investment Trust  
Metropolitan Atlanta Rapid Transit Authority  
Michigan Retirement Systems  
Mississippi Public Employees' Retirement System  
Division of Investment of the New Jersey Department of the Treasury  
Office of the New Mexico Attorney General and several of its Retirement Systems  
City of New Orleans Employees' Retirement System  
Norfolk County Retirement System  
Office of the Ohio Attorney General and several of its Retirement Systems  
Pirate Capital LLC  
Robino Stortini Holdings LLC  
San Francisco Employees' Retirement System  
St. Denis J. Villere & Co.  
Steamship Trade Association/International Longshoremen's Association  
SunTrust Banks, Inc.

## **COMMENTS ABOUT OUR FIRM BY THE COURTS**

Many federal judges have commented favorably on the Firm's expertise and results achieved in securities class action litigation. Judge John E. Sprizzo complimented the Firm's work in *In re Revlon Pension Plan Litigation*, Civ. No. 91-4996 (JES) (S.D.N.Y.). In granting

final approval to the settlement, Judge Sprizzo stated that “[t]he recovery is all they could have gotten if they had been successful. I have probably never seen a better result for the class than you have gotten here.”

Labaton Sucharow was a member of the Executive Committee of Plaintiffs’ Counsel in *In re PaineWebber Limited Partnerships Litigation*, Master File No. 94 Civ. 8547 (SHS). In approving a class-wide settlement valued at \$200 million, Judge Sidney H. Stein of the Southern District of New York stated:

The Court, having had the opportunity to observe first hand the quality of Class Counsel’s representation during this litigation, finds that Class Counsel’s representation of the Class has been of high caliber in conferences, in oral arguments and in work product.

Judge Lechner, presiding over the \$15 million settlement in *In re Computron Software Inc. Securities Class Action Litigation*, Civ. No. 96-1911 (AJL) (D.N.J.), where Labaton Sucharow served as Co-Lead Counsel, commented that

I think it’s a terrific effort in all of the parties involved . . . , and the co-lead firms . . . I think just did a terrific job.

You [co-lead counsel and] Mr. Plasse, just did terrific work in the case, in putting it all together . . .

In *Middlesex County Retirement System v. Monster Worldwide, Inc.*, No. 07-cv-2237 (S.D.N.Y.), Judge Rakoff appointed Labaton Sucharow as Lead Counsel, stating that “the Labaton firm is very well known to courts for the excellence of its representation.”

In addition, Judge Rakoff commented during a final approval hearing that “the quality of the representation was superb” and “[this case is a] good example of how [the] securities class action device serves laudatory public purposes.”

During a fairness hearing in the *In re American Tower Corporation Securities Litigation*, No. 06-CV-10933 (MLW) (D. Mass.), Chief Judge Mark L. Wolf stated:

“[t]he attorneys have brought to this case considerable experience and skill as well as energy. Mr. Goldsmith has reminded me of that with his performance today and he maybe educated me to understand it better.”

## ***PRO BONO ACTIVITIES***

Our attorneys devote substantial time to *pro bono* activities. Many of our attorneys participated in the Election Protection Program sponsored in 2004 by the Lawyers Committee for Civil Rights Under the Law to ensure that every voter could vote and every vote would count. In addition, the Firm’s attorneys devote their time to *pro bono* activities in the fields of the arts, foundations, education, and health and welfare issues.

## ***WOMEN’S INITIATIVE AND MINORITY SCHOLARSHIP***

Labaton Sucharow founded a Women’s Initiative to reflect the Firm’s commitment to the advancement of women professionals. The goal of the initiative is to bring professional women together to collectively advance women’s influence in business. Each event, two to three times annually, showcases a successful woman role model as a guest speaker. We actively discuss our respective business initiatives and hear the guest speaker’s strategies for success. Labaton Sucharow mentors and promotes the professional achievements of the young women in our ranks and others who join us for events. For more information regarding Labaton Sucharow’s Women’s Initiative, please visit <http://www.labaton.com/en/about/women/Womens-Initiative.cfm>

Further, as part of an effort to increase attorney diversity, the Firm has established an annual scholarship program at Brooklyn Law School that provides a \$5,000 scholarship and a summer associate position at the Firm to a member of a minority group. Currently, there are two minority associates employed by Labaton Sucharow who were recipients of this scholarship.

Another associate who received this scholarship will begin employment at Labaton Sucharow in September.

## ATTORNEYS

Among the attorneys at Labaton Sucharow who are involved in the prosecution of securities actions are partners Edward Labaton, Lawrence A. Sucharow, Martis Alex, Mark S. Arisohn, Eric J. Belfi, Joel H. Bernstein, Javier Bleichmar, Thomas A. Dubbs, Joseph A. Fonti, Louis Gottlieb, James W. Johnson, Christopher J. Keller, Christopher J. McDonald, Jonathan M. Plasse, Hollis L. Salzman, Ira A. Schochet; senior counsel Joseph V. Sternberg; of counsel attorneys Dominic J. Auld, Jonathan Gardner, Mark S. Goldman, David J. Goldsmith, Richard T. Joffe, Sidney S. Liebesman, Stephen J. Lief, Brian D. Penny, Paul Scarlato, Michael W. Stocker and Nicole M. Zeiss; and associates Benjamin D. Bianco, John Bockwoldt, Lindsay R. Cantor, Tara Church, Joshua L. Crowell, Donald P. Delaney, Mindy S. Dolgoff, Lloyd Donders, Alan I. Ellman, Thomas G. Hoffman, Jr., Serena Hallowell, Nicholas R. Hector, Julie Hwang, Felicia Mann, Michael Markunas, Craig A. Martin, Matthew C. Moehlman, Angelina Nguyen, Barry M. Okun, Michael H. Rogers, Krista T. Rosen, Erin H. Rump, David V. Sack, Jesse Strauss, Stefanie J. Sundel, Stephen W. Tountas, Carol C. Villegas and Ethan D. Wohl. A short description of the qualifications and accomplishments of each follows.

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***LAWRENCE A. SUCHAROW, CHAIRMAN***

***lsucharow@labaton.com***

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Lawrence A. Sucharow, a nationally recognized leader of the securities class action bar, is the chairman of Labaton Sucharow. In this capacity, he participates in developing the litigation and settlement strategies for many of the class action cases Labaton Sucharow prosecutes.

For more than three decades, Mr. Sucharow has devoted his practice to counseling clients and prosecuting cases on complex issues involving securities, antitrust, business transaction, product liability, and other class actions. Mr. Sucharow has successfully recovered more than \$1 billion on behalf of institutional investors such as state, city, county and union pension funds, shareholders of public companies, bondholders, purchasers of limited partnership interests, purchasers of consumer products and individual investors.

Mr. Sucharow obtained \$225 million in savings for the class of *In re CNL Resorts, Inc. Securities Litigation*. In other recently settled actions, Mr. Sucharow undertook a lead role in obtaining benefits for class members of \$200 million (*In re Paine Webber Incorporated Limited Partnerships Litigation*); \$110 million partial settlement (*In re Prudential Securities Incorporated Limited Partnerships Litigation*); \$91 million (*In re Prudential Bache Energy Income Partnerships Securities Litigation*); and more than \$92 million (*Shea v. New York Life Insurance Company*). In approving the *Prudential* settlement, Judge Milton Pollack referred to the efforts of plaintiffs' counsel as "Herculean," stating: "...this case represents a unique recovery – a recovery that does honor to every one of the lawyers on your side of the case."

In addition, in 2002 Mr. Sucharow served as Co-Trial Counsel in a six-week trial of a federal securities law claim on behalf of 18,000 passive investors in the Real Estate Associates limited partnerships. That trial resulted in an unprecedented \$182 million jury verdict.

Mr. Sucharow is the author of "Schapiro Takes Right Path On Market Reform, But Auditors, Lawyers and Shareholders Need Better Tools," *Pensions & Investments*, June 1, 2009. He is the co-author of "Death of the Worldwide Class?," BNA's *Securities Regulation & Law Report*, June 22, 2009, and "Executive Compensation: Despite reforms, pay is less transparent and shareholder-friendly than in the past," *New York Law Journal*, March 20, 2008.

Mr. Sucharow is a member of the Federal Bar Council's Committee on Second Circuit Courts, and the Federal Courts Committee of the New York County Lawyers' Association. He is also a member of the Securities Law Committee of the New Jersey State Bar Association and was the founding chairman of the Class Action Committee of the Commercial and Federal Litigation Section of the New York State Bar Association from 1988-1994. He was honored by his peers by his election to serve a two-year term as President of the National Association of Shareholder and Consumer Attorneys (NASCAT), a membership organization of approximately 100 law firms which practice complex civil litigation including class actions.

Mr. Sucharow earned a B.B.A., *cum laude*, from Baruch School of the City College of the City University of New York in 1971 and a J.D., *cum laude*, from Brooklyn Law School in 1975.

Mr. Sucharow is admitted to practice in New York and New Jersey as well as before the United States District Courts for the Southern and Eastern Districts of New York, the District of New Jersey, the District of Arizona, the United States Court of Appeals for the Second Circuit, and the United States Supreme Court.

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***EDWARD LABATON, SENIOR PARTNER***

***elabaton@labaton.com***

An accomplished trial lawyer and Senior Partner with the Firm, Edward Labaton has devoted his 50 years of practice to representing a full range of clients in class action and complex litigation matters in state and federal court. Mr. Labaton has played a lead role as plaintiffs' class counsel in a number of successfully prosecuted high profile cases, involving companies such as PepsiCo, Dun & Bradstreet, Financial Corporation of America, ZZZZ Best, Revlon, GAF Co., American Brands, Petro Lewis and Jim Walter, as well as several Big Eight (now

Four) accounting firms. He has also argued appeals in state and federal courts, achieving results with important precedential value.

Mr. Labaton has been President of the Institute for Law and Economic Policy since its founding in 1996. The Institute co-sponsors at least one annual symposium with a major law school dealing with issues relating to the civil justice system. He is also a member of the Advisory Committee of the Weinberg Center for Corporate Governance of the University of Delaware, a Director of the Lawyers' Committee for Civil Rights under Law, a member of the American Law Institute, and a life member of the ABA Foundation. In addition, Mr. Labaton has served on the Executive Committee and has been an officer of the Ovarian Cancer Research Fund since its inception in 1996.

Mr. Labaton is the past Chairman of the Federal Courts Committee of the New York County Lawyers Association, and was a member of the Board of Directors of that organization. He is an active member of the Association of the Bar of the City of New York, where he was Chair of the Senior Lawyers' Committee and served on its Task Force on the Role of Lawyers in Corporate Governance. He has also served on its Federal Courts, Federal Legislation, Securities Regulation, International Human Rights and Corporation Law Committees. He also served as Chair of the Legal Referral Service Committee, a joint committee of the New York County Lawyers' Association and the Association of the Bar of the City of New York. He has been an active member of the American Bar Association, the Federal Bar Council and the New York State Bar Association, where he has served as a member of the House of Delegates.

For more than 30 years, he has lectured in the areas of federal civil litigation, securities litigation and corporate governance. Mr. Labaton graduated *cum laude* with a B.B.A. from

Baruch College, City College of New York in 1952 and earned his LL.B. from Yale University in 1955.

He is admitted to practice in New York and before the United States Supreme Court.

***JOEL H. BERNSTEIN, SENIOR PARTNER***

***jbernstein@labaton.com***

With more than 30 years' experience in the area of complex litigation, Joel H. Bernstein concentrates his practice in the protection of investors who have been victimized by securities fraud and breach of fiduciary duty. His expertise in the area of shareholder litigation has resulted in the recovery of hundred of millions of dollars in damages to wronged investors.

Mr. Bernstein advises numerous large public pension funds, hedge funds, other institutional investors and individual investors with respect to securities litigation in the federal and state courts as well as in arbitration proceedings before the New York Stock Exchange, the National Association of Securities Dealers and other self-regulatory organizations.

Mr. Bernstein has played a central role in numerous high profile cases, including *In re Paine Webber Incorporated Limited Partnerships Litigation*, \$200 million settlement; *In re Prudential Securities Incorporated Limited Partnerships Litigation*, \$130 million settlement; *In re Prudential Bache Energy Income Partnerships Securities Litigation*, \$91 million settlement; *Shea v. New York Life Insurance Company*, \$92 million settlement; and, *Saunders et al. v. Gardner*, \$10 million -- then the largest punitive damage award in the history of the NASD. Most recently, Mr. Bernstein was instrumental in securing a \$117.5 million settlement in *In re Mercury Interactive Securities Litigation*, a figure representing one of the largest known settlements or judgments in a securities fraud litigation based upon options backdating.

A leading figure in his area of practice, Mr. Bernstein is frequently sought out by the press to comment on securities law and also has authored numerous articles on related issues,

including "Stand Up to Your Stockbroker, Your Rights As An Investor." He is a member of the American Bar Association and the New York County Lawyers' Association.

Mr. Bernstein earned a J.D. from Brooklyn Law School in 1975 and received his undergraduate degree from Queens College in 1971.

He is admitted to practice in New York and the following federal courts: the United States Court of Appeals for the Second Circuit, the United States Court of Appeals for the Third Circuit, and the United States District Court for the Southern and Eastern Districts of New York.

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***THOMAS A. DUBBS, SENIOR PARTNER***

***tdubbs@labaton.com***

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Thomas A. Dubbs specializes in the representation of institutional investors including pension funds in securities fraud and other types of litigation. A recognized leader in the field, Mr. Dubbs represented the first major private institutional investor to become a lead plaintiff in a class action under the Private Securities Litigation Reform Act.

Mr. Dubbs currently serves as Lead Counsel in the federal securities class action brought against AIG on behalf of Lead Plaintiff Ohio (comprised of several of Ohio's retirement systems). He also leads the team representing Lead Plaintiff Michigan Retirement Systems in a major securities class action against Bear Stearns and certain of its former directors and officers. In addition, Mr. Dubbs serves as Lead Counsel for the class and Lead Plaintiff New Mexico State Investment Council in the federal securities class action against Broadcom Corp., a securities options backdating case with damages estimated at \$2.2 billion.

Representing an affiliate of the Amalgamated Bank, the largest labor-owned bank in the United States, a Labaton Sucharow team led by Mr. Dubbs successfully litigated a class action against Bristol-Myers Squibb, which resulted in a settlement of \$185 million and major corporate governance reforms.

Most recently, Mr. Dubbs has played a central role in numerous high profile cases, including *In re HealthSouth Securities Litigation*, \$445 million partial settlement; *In re Vesta Insurance Group, Inc. Securities Litigation*, \$79 million settlement; and *In re St. Paul Travelers II Securities Litigation*, \$77 million settlement.

Prior to joining Labaton Sucharow, Mr. Dubbs was Senior Vice President & Senior Litigation Counsel for Kidder, Peabody & Co. Incorporated where he represented the firm in many class actions, including the *First Executive* and *Orange County* litigations. Before joining Kidder, Mr. Dubbs was head of the litigation department at Hall, McNicol, Hamilton & Clark, where he was the principal partner representing Thomson McKinnon Securities Inc. in litigation matters including class actions such as the Petro Lewis and Baldwin United litigations.

He frequently lectures to institutional investors and other groups such as the Government Finance Officers Association, the National Conference on Public Employee Retirement Systems and the Council of Institutional Investors.

Mr. Dubbs received a B.A. and a J.D. from the University of Wisconsin in 1969 and 1974, respectively. In 1971, he earned an M.A. from the Fletcher School of Law and Diplomacy of Tufts University. Mr. Dubbs is a member of the New York State Bar Association and the Association of the Bar of the City of New York. He is admitted to practice in New York.

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***JONATHAN M. PLASSE, SENIOR PARTNER***

***jplasse@labaton.com***

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An accomplished litigator, Jonathan M. Plasse has devoted 30 years of his practice to the prosecution of complex cases involving securities class action, derivative, transactional, and consumer litigation. Currently, he is prosecuting securities class actions against Countrywide, Fannie Mae and Morgan Stanley.

His recent successes include serving as Co-Lead Counsel in *In re General Motors Corp. Securities Litigation* (\$303 million settlement) and *In re El Paso Corporation Securities Litigation* (\$285 million settlement). Mr. Plasse also served as Lead Counsel in *In re Waste Management Inc. Securities Litigation*, where he represented the Connecticut Retirement Plans and Trusts Funds, and obtained a settlement of \$457 million.

Mr. Plasse is a regular speaker at continuing legal education seminars relating to securities class action litigation.

Mr. Plasse received a B.A. degree, *magna cum laude*, from the State University of New York in Binghamton in 1972. He received a J.D. from Brooklyn Law School in 1976, where he served as a member of the *Brooklyn Journal of International Law*.

He is admitted to practice in New York as well as before the United States District Courts for the Southern and Eastern Districts of New York and the United States Court of Appeals for the Second Circuit. Mr. Plasse is a member of the New York State Bar Association and the Association of the Bar of the City of New York.

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***MARTIS ALEX, PARTNER***

***malex@labaton.com***

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Martis Alex concentrates her practice on prosecuting complex securities fraud cases on behalf of institutional investors. She has extensive experience managing complex nationwide litigation, including securities class actions as well as product liability and consumer fraud litigation. She has successfully represented investors and consumers in cases that achieved cumulative recoveries of hundreds of millions of dollars for plaintiffs.

Ms. Alex was an integral part of the team that successfully litigated *In re Bristol Myers Squibb Securities Litigation*, where Labaton Sucharow was able to secure a \$185 million settlement on behalf of investors, as well as meaningful corporate governance reforms that will

affect future consumers and investors alike. She is currently litigating *In re American International Group, Inc. Securities Litigation*, a major securities class action brought by Lead Plaintiff Ohio (comprised of several of Ohio's retirement systems). Ms. Alex was Lead Trial Counsel and Chair of the Executive Committee in *Zenith Laboratories Securities Litigation*, a federal securities fraud class action which settled during trial, and achieved a significant recovery for investors. She also was Chair of the Plaintiffs' Steering Committee in *Napp Technologies Litigation*, where Labaton Sucharow won substantial recoveries for families and firefighters injured in a chemical plant explosion.

Ms. Alex served as Co-Lead Counsel or in a leadership role in several securities class actions that achieved substantial awards for investors, including *Cadence Design Securities Litigation*, *Halsey Drug Securities Litigation*, *Slavin v. Morgan Stanley*, *Lubliner v. Maxtor Corp.* and *Baden v. Northwestern Steel and Wire*. She also served on the Executive Committee or in other leadership roles in national product liability actions against the manufacturers of breast implants, orthopedic bone screws, and atrial pacemakers, and was a member of the Plaintiffs' Legal Committee in the national litigation against the tobacco companies.

Ms. Alex is the co-author of "Role of the Event Study in Loss Causation Analysis," *New York Law Journal*, August 20, 2009.

Prior to entering private practice, Ms. Alex was a trial lawyer with the Sacramento, California District Attorney's Office. She is a frequent speaker at national conferences on product liability and securities fraud litigation, and is a recipient of the American College of Trial Lawyers' Award for Excellence in Advocacy.

Ms. Alex earned a J.D. from McGeorge Law School and a Masters Degree in Psychology from California State College. She is admitted to practice in New York, California, the United States Supreme Court, and in Federal Courts in several jurisdictions.

***MARK S. ARISOHN, PARTNER***

***marisohn@labaton.com***

Mark S. Arisohn concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors.

For the past 33 years, Mr. Arisohn specialized in complex criminal and civil litigation with an emphasis on white collar criminal matters. He has appeared in the state and federal courts nationwide, and appeared before the United States Supreme Court in the landmark insider trading case of *Chiarella v. United States*.

Mr. Arisohn brings his extensive trial experience to the prosecution of securities class actions. He has defended individuals and corporations accused of bank fraud, mail and wire fraud, securities fraud and RICO violations. He has represented public officials, individuals and companies in the construction and securities industries as well as professionals accused of regulatory offenses and professional misconduct. He also has appeared as trial counsel for both plaintiffs and defendants in civil fraud matters and corporate and business commercial matters, including shareholder litigation, breach of contract claims, and cases involving such business torts as unfair competition and misappropriation of trade secrets.

A prominent trial lawyer, Mr. Arisohn has also authored numerous articles including “Electronic Eavesdropping,” *New York Criminal Practice*, LEXIS - Matthew Bender, 2005; “Criminal Evidence,” *New York Criminal Practice*, Matthew Bender, 1986; and “Evidence,” *New York Criminal Practice*, Matthew Bender, 1987. He was a contributing author of *Business Crime*, Matthew Bender, 1981.

Mr. Arisohn is an active member of the Association of the Bar of the City of New York and has served on its Judiciary Committee, the Committee on Criminal Courts, Law and Procedure, the Committee on Superior Courts and the Committee on Professional Discipline. He serves as a mediator for the Complaint Mediation Panel of the Association of the Bar of the City of New York and as a hearing examiner for the New York State Commission on Judicial Conduct.

He earned his B.S. and M.S. degrees from Cornell University in 1968 and 1969 and received his J.D. from Columbia University School of Law in 1972.

Mr. Arisohn is admitted to practice in New York and the District of Columbia as well as the following federal courts: the United States Supreme Court; the United States Court of Appeals for the Second Circuit; and the United States District Courts for the Southern, Eastern and Northern Districts of New York; the Northern District of Texas; and the Northern District of California.

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***ERIC J. BELFI, PARTNER***

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***ebelfi@labaton.com***

Eric J. Belfi is an accomplished litigator in a broad range of commercial matters. He concentrates his practice in the investigation and initiation of securities and shareholder class actions, with an emphasis on the representation of major international and domestic pension funds and other institutional investors.

Prior to entering private practice, Mr. Belfi served as an Assistant Attorney General for the State of New York and an Assistant District Attorney for the County of Westchester. As a prosecutor, Mr. Belfi investigated and prosecuted numerous white-collar criminal cases, including securities law violations and environmental crimes. In this capacity, he presented hundreds of cases to the grand jury and obtained numerous felony convictions after jury trials.

Mr. Belfi is a regular speaker and author on issues involving shareholder litigation, particularly as it relates to international institutional investors. He co-authored *The Proportionate Trading Model: Real Science or Junk Science?* 52 Cleveland St. L. Rev. 391 (2004-05) and "International Strategic Partnerships to Prosecute Securities Class Actions," *Investment & Pensions Europe*. Over the last several years, Mr. Belfi has served as a panelist at programs on U.S. class actions in numerous European countries. He also participated in a panel discussion regarding socially responsible investments for public pension funds during the New England Public Employees' Retirement Systems Forum.

Mr. Belfi received a B.A. from Georgetown University in 1992 and a J.D. from St. John's University School of Law in 1995. He is an associate prosecutor for the Village of New Hyde Park, and is also a member of the Federal Bar Council and the Association of the Bar of the City of New York.

Mr. Belfi is admitted to practice in New York as well as before the United States District Courts for the Southern and Eastern Districts of New York, the Eastern District of Michigan, the District of Colorado, the District of Nebraska, and the Eastern District of Wisconsin.

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**JAVIER BLEICHMAR, PARTNER**

*jbleichmar@labaton.com*

Javier Bleichmar concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors. Since joining Labaton Sucharow, Mr. Bleichmar was instrumental in securing a \$77 million settlement in the *In re St. Paul Travelers Securities Litigation II* on behalf of the Lead Plaintiff, the Educational Retirement Board of New Mexico. Most recently, he has been a member of the team prosecuting securities class actions against British Petroleum and The Bear Stearns Companies, Inc.

Mr. Bleichmar is very active in educating European institutional investors on developing trends in the law, particularly the ability of international investors to participate in securities class actions in the United States. Through these efforts, many of Mr. Bleichmar's European clients were able to join the Foundation representing investors in the first securities class action settlement under a recently enacted Dutch statute against Royal Dutch Shell.

Prior to joining Labaton Sucharow, Mr. Bleichmar practiced securities litigation at Bernstein Litowitz Berger & Grossmann LLP, where he prosecuted securities actions on behalf of institutional investors. He was actively involved in the *In re Williams Securities Litigation*, which resulted in a \$311 million settlement, as well as securities cases involving Lucent Technologies, Inc., Conseco, Inc. and Biovail Corp.

Mr. Bleichmar graduated from Phillips Academy, Andover in 1988, earned a B.A. from the University of Pennsylvania in 1992 and a J.D. from Columbia University Law School in 1998. He was a managing editor of the *Journal of Law and Social Problems*. Additionally, he was a Harlan Fiske Stone Scholar. As a law student, Mr. Bleichmar served as a law clerk to the Honorable Denny Chin, United States District Court Judge for the Southern District of New York.

After law school, Mr. Bleichmar authored the article "Deportation As Punishment: A Historical Analysis of the British Practice of Banishment and Its Impact on Modern Constitutional Law," 14 *Georgetown Immigration Law Journal* 115 (1999).

Mr. Bleichmar is admitted to practice in New York and the United States District Courts for the Southern and Eastern Districts of New York.

Mr. Bleichmar is a native Spanish speaker and fluent in French.

***JOSEPH A. FONTI, PARTNER******jfonti@labaton.com***

Joseph A. Fonti concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors. Currently, Mr. Fonti is actively involved in prosecuting *In re HealthSouth Securities Litigation*, *In re Broadcom Corp. Securities Litigation*, *In re Celestica Inc. Securities Litigation* and *Caisse de Depot du Quebec v. Vivendi et al.*

Mr. Fonti has successfully litigated complex civil and regulatory securities matters, including obtaining a favorable judgment after trial. Prior to joining Labaton Sucharow, Mr. Fonti was an attorney at Bernstein Litowitz Berger & Grossmann LLP, where he prosecuted securities class actions on behalf of institutional investors, including class actions involving WorldCom, Bristol-Myers, Omnicom, Biovail, and the mutual fund industry scandal. Mr. Fonti's work on these cases contributed to historic recoveries for shareholders, including the \$6.15 billion recovery in the WorldCom litigation and the \$300 million recovery in the Bristol-Myers litigation, alleging accounting fraud and improper inventory practices.

Mr. Fonti began his legal career at Sullivan & Cromwell, where he represented several Fortune 500 corporations, focusing on securities matters and domestic and international commercial law. Mr. Fonti also represented clients in complex investigations conducted by federal regulators, including the U.S. Securities and Exchange Commission. Over the past several years, he has represented victims of domestic violence in affiliation with inMotion, an organization that provides pro bono legal services to indigent women.

Mr. Fonti earned a B.A., cum laude, from New York University in 1996 and a J.D. from New York University School of Law in 1999, where he was active in the Marden Moot Court Competition and served as a Student Senator-at-Large of the NYU Senate. As a law student, he served as a law clerk to the Honorable David Trager, United States District Court Judge for the Eastern District of New York.

Mr. Fonti is admitted to practice in New York, as well as the United States District Courts for the Southern and Eastern Districts of New York, the United States Court of Appeals for the Ninth and Eleventh Circuits and the United States Supreme Court.

***LOUIS GOTTLIEB, PARTNER***

***lgottlieb@labaton.com***

Lou Gottlieb has successfully represented institutional and individual investors in numerous securities and consumer class action cases, resulting in cumulative settlements well in excess of \$500 million.

Mr. Gottlieb was an integral part of the Firm's representation of the Connecticut Retirement Plans and Trust Funds in *In re Waste Management, Inc. Securities Litigation*, which resulted in a \$457 million settlement, one of the largest settlements ever achieved in a securities class action. The settlement also included corporate governance enhancements, including an agreement by management to support a campaign to obtain shareholder approval of a resolution to declassify its board of directors, and a resolution to encourage and safeguard whistleblowers among the company's employees.

Mr. Gottlieb has led litigation teams in the *Metromedia Fiber Networks, Maxim Pharmaceuticals*, and *PriceSmart* securities fraud class action litigations as well as a consumer breach of contract class action against New York Life Annuities. He is also helping to lead major class action cases against the company and related defendants in *In re American International Group Inc. Securities Litigation*, *In re Royal Bank of Scotland Group plc Securities Litigation*, and in *In re Satyam Computer Services, Ltd. Securities Litigation*.

Mr. Gottlieb has made presentations on punitive damages at Federal Bar Association meetings and has often spoken on securities class actions for institutional investors.

Mr. Gottlieb graduated first in his class from St. John's School of Law. Prior to joining Labaton Sucharow, he clerked for the Hon. Leonard B. Wexler of the Eastern District of New York, and he was a litigation associate with Skadden Arps Slate Meagher & Flom. He has also enjoyed a successful career as a public school teacher and as a restaurateur.

Mr. Gottlieb is admitted to practice in New York and Connecticut as well as before the United States District Courts for the Southern and Eastern Districts of New York, and the United States Courts of Appeals for the Fifth and Seventh Circuits.

**JAMES W. JOHNSON, PARTNER**

**[jjohnson@labaton.com](mailto:jjohnson@labaton.com)**

James W. Johnson specializes in complex litigation, with primary emphasis on class actions involving securities fraud.

Mr. Johnson has successfully litigated a number of high profile securities and RICO class actions, including: *In re Bristol-Myers Squibb Co. Securities Litigation*, in which the Court, after approving a settlement of \$185 million coupled with significant corporate governance reforms, recognized plaintiffs' counsel as "extremely skilled and efficient"; *In re HealthSouth Corp. Securities Litigation*, which resulted in a partial settlement of \$445 million; *In re Vesta Insurance Group, Inc. Securities Litigation*, which resulted in a recovery of almost \$80 million for the plaintiff class; and *Murphy v. Perelman*, which, along with a companion federal action, *In re National Health Laboratories, Inc. Securities Litigation*, brought by Co-Counsel, resulted in a recovery of \$80 million. *In County of Suffolk v. Long Island Lightning Co.*, Mr. Johnson represented the plaintiff in a RICO class action, securing a jury verdict after a two-month trial, which resulted in a \$400 million settlement. The Second Circuit, in awarding attorneys' fees to Plaintiff, quoted the trial judge, Honorable Jack B. Weinstein, as stating "counsel [has] done a superb job [and] tried this case as well as I have ever seen any case tried."

Mr. Johnson also assisted in prosecuting environmental damage claims on behalf of Native Americans resulting from the Exxon Valdez oil spill.

He is the co-author of “The Impact of the LaPerriere Decision: Parent Companies Face Liability,” *Directors Monthly*, February 2009.

Mr. Johnson received a B.A. from Fairfield University in 1977 and a J.D. from New York University School of Law in 1980.

He is admitted to practice in New York and Illinois as well as before the United States District Courts for the Southern, Eastern and Northern Districts of New York; the Northern District of Illinois; the U.S. Courts of Appeals for the Second, Third, Fourth, Fifth, Seventh and Eleventh Circuits; and the United States Supreme Court.

He is a member of the American Bar Association and the Association of the Bar of the City of New York, where he served on the Federal Courts Committee.

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***CHRISTOPHER J. KELLER, PARTNER***

***ckeller@labaton.com***

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Christopher J. Keller concentrates his practice in sophisticated securities class action litigation in federal courts throughout the country. Mr. Keller serves as lead counsel in over a dozen options backdating class actions filed under the federal securities laws. He was instrumental in securing a \$117.5 million settlement in *In re Mercury Interactive Securities Litigation*, which is one of the largest settlements to date in an options backdating class action. He also serves as Co-Lead Counsel in *In re Satyam Computer Services, Ltd. Securities Litigation*.

Mr. Keller was a member of the trial team that successfully litigated the *In re Real Estate Associates Limited Partnership Litigation* in the United States District Court for the Central District of California. The six-week jury trial resulted in a landmark \$184 million plaintiffs’

verdict, which is one of the largest jury verdicts since the passage of the Private Securities Litigation Reform Act of 1995.

Mr. Keller is very active in investigating and initiating securities and shareholder class actions. He also concentrates his efforts on educating institutional investors on developing trends in the law and new case theories. Mr. Keller is a regular speaker at institutional investor gatherings as well as a frequent speaker at continuing legal education seminars relating to securities class action litigation.

Mr. Keller is the co-author of the following articles: "Japan's Past Recession Provides a Cautionary Tale," *The National Law Journal*, April 13, 2009; "Balancing the Scales: The Use of Confidential Witnesses in Securities Class Actions," BNA's *Securities Regulation & Law Report*, January 19, 2009; "Eyeing Executive Compensation," *The National Law Journal*, November 17, 2008; and "Tellabs: PSLRA Pleading Test Comparative, Not Absolute," *New York Law Journal*, October 3, 2007.

Mr. Keller earned a B.S. from Adelphi University in 1993 and a J.D. from St. John's University School of Law in 1997.

He is admitted to practice in New York as well as before the United States District Courts for the Southern and Eastern Districts of New York, the Eastern District of Wisconsin, the District of Colorado and the United States Supreme Court. Mr. Keller is a member of several professional groups, including the New York State Bar Association and the New York County Lawyers' Association.

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**CHRISTOPHER J. McDONALD, PARTNER**

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Christopher J. McDonald, a member of the Firm's Antitrust Practice Group, represents businesses, associations and individuals injured by anticompetitive activities. Mr. McDonald's

practice also involves prosecuting complex securities fraud cases on behalf of institutional investors.

In the antitrust field, Mr. McDonald currently represents end-payors (e.g., union health and welfare funds and consumers) of the prescription drug TriCor® in the *In re TriCor Indirect Purchaser Antitrust Litigation*. The drug's manufacturer and U.S. marketer are alleged to have unlawfully impeded the introduction of lower-priced generic alternatives in violation of federal and state antitrust laws. The case is set to go to trial in early November 2008.

In the securities field, Mr. McDonald is currently prosecuting *In re Schering-Plough Corporation/ENHANCE Securities Litigation* to recover losses investors suffered after the disclosure of negative clinical trial data for Vytorin®, a fixed-dose combination pill comprised of ezetimibe (Schering-Plough's Zetia®) and simvastatin (Merck & Co., Inc.'s Zocor®). He was also part of the team that litigated *In re Bristol-Myers Squibb Securities Litigation*, where Labaton Sucharow was able to secure a \$185 million settlement and meaningful corporate governance reforms on behalf of Bristol-Myers Squibb shareholders following negative disclosures about omapatrilat, an experimental hypertension drug. The settlement with BMS is the largest ever obtained against a pharmaceutical company in a securities fraud case that did not involve a restatement of financial results.

A litigator for most of his career, Mr. McDonald also has in-house and regulatory experience. As a senior attorney with a telecommunications company he regularly addressed legal, economic and public policy issues before state public utility commissions.

Mr. McDonald received his undergraduate degree, *cum laude*, from Manhattan College in 1985, and a J.D. from Fordham University School of Law in 1992, where he was on the *Law Review*.

Mr. McDonald is admitted to practice in New York as well as before the following federal courts: the United States Courts of Appeals for the Second, Third and Federal Circuits; the United States District Courts for the Southern and Eastern Districts of New York; and the United States District Court for the Western District of Michigan. He is a member of the New York State Bar Association and the Association of the Bar of the City of New York.

***HOLLIS L. SALZMAN, PARTNER***

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Hollis L. Salzman is Co-Chair of the Firm's Antitrust Practice Group. She primarily represents clients in cases involving federal antitrust law violations. Her work in the area of antitrust law has been recognized in the 2008 Plaintiffs' Hot List published by *The National Law Journal*. She is also involved in the Firm's securities litigation practice group where she represents institutional investors in portfolio monitoring and securities litigation. Some of Ms. Salzman's clients include MARTA and the City of Macon, Georgia.

Ms. Salzman is actively engaged in the prosecution of major antitrust class actions pending throughout the United States. She is presently Co-Lead Counsel in many antitrust cases, including: *In re Air Cargo Shipping Services Antitrust Litigation*, *In re Marine Hoses Antitrust Litigation*, and *In re Puerto Rican Cabotage Antitrust Litigation*.

She also served as Co-Lead Counsel in several antitrust class actions which resulted in extraordinary settlements for class members, such as *In re Air Cargo Shipping Services Antitrust Litigation* (\$85 million partial settlement from certain defendants); *In re Abbott Labs Norvir Antitrust Litigation* (\$10 million settlement); *In re Buspirone Antitrust Litigation* (\$90 million settlement); *In re Lorazepam & Clorazepate Antitrust Litigation* (\$135.4 million settlement) and *In re Maltol Antitrust Litigation* and *Continental Seasonings Inc. v. Pfizer, Inc., et al.*, (\$18.45 million settlement). Additionally, she was principally responsible for administering a

\$65 million settlement with certain brand-name prescription drug manufacturers where their conduct allegedly caused retail pharmacy customers to overpay for their prescription drugs.

Ms. Salzman is a Co-Chair of the New York State Bar Association, Commercial & Federal Litigation Section – Antitrust Committee.

Ms. Salzman is the co-author of the following articles: “Iqbal And The Twombly Pleading Standard,” *CompLaw 360*, June 15, 2009; “Analysis of Abbott Laboratories Antitrust Litigation,” *Pharmaceutical Law & Industry Report*, June 20, 2008; and “The State of State Antitrust Enforcement,” *NYSBA NYLitigator*, Winter 2003, Vol. 8, No. 1.

She is a Co-Chair of the New York State Bar Association, Commercial & Federal Litigation Section – Antitrust Committee, and a member of the Association of the Bar of the City of New York Antitrust Committee and Women’s Antitrust Bar Association. Ms. Salzman also provides *pro bono* representation to indigent and working-poor women in matrimonial and family law matters.

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***IRA A. SCHOCHET, PARTNER***

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***ischochet@labaton.com***

Ira A. Schochet has 15 years’ experience in commercial litigation, with primary emphasis on class actions involving securities fraud. Currently, Mr. Schochet serves as Lead Counsel in *In re Countrywide Securities Litigation*.

Mr. Schochet has played a leading role in litigation resulting in multimillion dollar recoveries for class members in cases against Caterpillar, Inc., Spectrum Information Technologies, Inc. and InterMune, Inc. In *Kamarasy v. Coopers & Lybrand*, a securities fraud class action, Mr. Schochet led a team that won a settlement equal to approximately 75% of the highest possible damages that class members could have recovered. The Court in that case complimented him for “the superior quality of the representation provided to the class.”

Mr. Schochet represented one of the first institutional investors acting as a Lead Plaintiff in a post-Private Securities Litigation Reform Act case, *STI Classic Funds v. Bollinger, Inc.*, and obtained one of the first favorable rulings interpreting that statute's intent provision.

In addition, Mr. Schochet negotiated a settlement on behalf of investors in the *InterMune* litigation. In approving the settlement, the Court complimented Mr. Schochet's ability to obtain a significant cash benefit for the class in a very efficient manner, saving the class from additional years of time, expense and substantial risk.

On April 1, 2009, Mr. Schochet began his two-year term as President of the National Association of Shareholder and Consumer Attorneys (NASCAT), a trade organization and public policy voice for lawyers interested in a strong system of federal and state legal protections for investors and consumers. NASCAT consists of approximately 100 law firms committed to the vigorous prosecution of corporate fraud.

Since 1996, Mr. Schochet has acted as chairman of the Class Action Committee of the Commercial and Federal Litigation Section of the New York State Bar Association. In that capacity, he has served on the Executive Committee of the Section and was the primary author of articles and reports on a wide variety of issues relating to class action procedure. Such issues include revisions to that procedure proposed over the years by both houses of the United States Congress and the Advisory Committee on Civil Procedure of the United States Judicial Conference. Examples include "Proposed Changes in Federal Class Action Procedure," "Opting Out On Opting In," and "The Interstate Class Action Jurisdiction Act of 1999." He also has lectured extensively on securities litigation at continuing legal education seminars.

Mr. Schochet earned a B.A., *summa cum laude*, from the State University of New York at Binghamton in 1977, and a J.D. from Duke University School of Law in 1981.

He is admitted to practice in New York as well as before the United States District Courts for the Southern and Eastern Districts of New York, the Central District of Illinois, the Northern District of Texas, and the United States Court of Appeals for the Second Circuit.

***JOSEPH V. STERNBERG, SENIOR COUNSEL***

***jsternberg@labaton.com***

Joseph V. Sternberg is a trial and appellate lawyer with more than 35 years of experience in the areas of civil and class action litigation. He has prosecuted cases that have resulted in the return of hundreds of millions of dollars to class members. Among the numerous landmark cases in which Mr. Sternberg has participated are *Limmer v. Medallion Group, Inc.*, *Koppel v. Wien, In re Energy Systems Equipment Leasing Securities Litigation*, *Koppel v. 4987 Corp.*, *Gunter v. Ridgewood Energy Corp.*, and *In re Real Estate Associates Limited Partnership Litigation*.

Mr. Sternberg authored “Using and Protecting Against Rule 12(b) and 9(b) Motions,” *The Practical Litigator*, September 1993.

Mr. Sternberg earned a B.A. from Hofstra University in 1963 and a J.D. from New York University School of Law in 1966.

He is admitted to practice in New York, as well as before the United States District Courts for the Southern and Eastern Districts of New York, and the United States Courts of Appeals for the Second and Third Circuits.

He has received a rating of AV from the publishers of the Martindale-Hubble Directory.

***DOMINIC J. AULD, OF COUNSEL***

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Dominic J. Auld joined Labaton Sucharow with over seven years of experience in the area of securities class action litigation. He has also worked in the areas of environmental and antitrust litigation. Mr. Auld is primarily responsible for working with the client and case development departments in identifying meritorious securities fraud cases and presenting them to

the institutional investors harmed by the conduct at issue. Mr. Auld focuses on the Firm's existing relationships with institutional investors from his home country of Canada, and is also part of the Firm's outreach to other institutions worldwide.

Prior to joining Labaton Sucharow, Mr. Auld practiced securities litigation at Bernstein Litowitz Berger & Grossmann LLP, where he began his career as a member of the litigation team responsible for prosecuting the landmark WorldCom action which resulted in a settlement of over \$6 billion. He also has a great deal of experience in working directly with institutional clients affected by securities fraud and worked extensively with the Ontario Teachers' Pension Plan in their actions *In re Nortel Networks Corporation Securities Litigation*, *In re Williams Securities Litigation*, and *In re Biovail Corporation Securities Litigation* - cases that settled for a total of over \$1.7 billion. In the last two years, Mr. Auld has focused his practice on client relationships and development, and regularly advises large worldwide institutional investors on their rights and avenues of recovery available in the U.S. Courts and elsewhere.

He is a regular speaker at law and investment conferences and recently published an article on executive compensation in *Benefits Canada* magazine.

Mr. Auld earned a B.A.(hons) from Queen's University in Kingston, Ontario, Canada in 1992 and a J.D. from Lewis and Clark Law School in Portland, Oregon in 1998 where he was an annual member of the Dean's List. As a law student, he served as a founding member of the law review, *Animal Law*, which explores legal and environmental issues relating to laws such as the Endangered Species Act.

Mr. Auld is admitted to practice in New York.

***JONATHAN GARDNER, OF COUNSEL******jgardner@labaton.com***

Jonathan Gardner concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors. Mr. Gardner currently represents the Successor Liquidating Trustee of Lipper Convertibles, a convertible bond hedge fund, in an action against the Fund's former independent auditor and a member of the Fund's general partner as well as numerous former limited partners who received excess distributions. He has successfully recovered over \$5.2 million for the Successor Liquidating Trustee from overwithdrawn limited partners and \$29.9 million from the former auditor.

Recently Mr. Gardner has been responsible for prosecuting several of the Firm's options backdating cases, including *In re Monster Worldwide, Inc. Securities Litigation*, *In re SafeNet, Inc. Securities Litigation*, *In re Semtech Securities Litigation*, and *City of Westland Police and Fire Retirement System v. Sonic Solutions*. He also was involved in *In re Mercury Interactive Corp. Securities Litigation*, which settled for \$117.5 million, a figure representing one of the largest known settlements or judgments in a securities fraud litigation based upon options backdating.

In 2005, Mr. Gardner litigated claims of securities fraud, common law fraud, breach of contract, defamation, and civil RICO violations against CFI Mortgage Inc. and its principals in federal court. Following a five-day jury trial, Mr. Gardner secured a verdict of over \$50 million.

Prior to practicing securities litigation, Mr. Gardner was actively involved in litigating all aspects of commercial and business disputes from pre-dispute investigation and settlement to trials and appeals before state and federal courts, as well as arbitration and mediation forums.

Mr. Gardner earned a B.S.B.A. from American University in 1987 and a J.D. from St. John's University Law School in 1990.

Mr. Gardner is admitted to practice in New York as well as before the United States District Courts for the Southern and Eastern Districts of New York, the Eastern District of Wisconsin, and the United States Court of Appeals for the Ninth Circuit. He is a member of the New York State Bar Association and the Association of the Bar of the City of New York.

***MARK S. GOLDMAN, OF COUNSEL***

***mgoldman@labaton.com***

Mark S. Goldman has 22 years' experience in commercial litigation, primarily litigating class actions involving securities fraud, consumer fraud, and violations of federal and state antitrust laws.

Mr. Goldman is currently prosecuting securities fraud claims on behalf of institutional and individual investors against a pharmaceutical company alleged to have misrepresented the status of clinical drug trials, hedge funds that misrepresented the net asset value of investors' shares, and a high tech company that did not disclose declining sales in its initial public offering materials. In addition, Mr. Goldman is participating in litigation brought against international air cargo carriers charged with conspiring to fix fuel and security surcharges, and domestic manufacturers of air filters, OSB, flat glass and chocolate, also charged with price fixing.

Recently, Mr. Goldman successfully litigated a number of consumer fraud cases brought against insurance companies challenging the manner in which they calculated life insurance premiums. He also prosecuted a number of insider trading cases brought against company insiders who, in violation of Section 16(b) of the Securities Exchange Act, engaged in short swing trading. In addition, Mr. Goldman participated in the prosecution of *In re AOL Time Warner Securities Litigation*, a massive securities fraud case that settled for \$2.5 billion.

Mr. Goldman earned a B.A. from The Pennsylvania State University in 1981 and a J.D. from the University of Kansas School of Law in 1986.

He is admitted to practice in Pennsylvania.

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***DAVID J. GOLDSMITH, OF COUNSEL***

***dgoldsmith@labaton.com***

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David J. Goldsmith has more than ten years of experience representing institutional and individual investors in securities litigation.

Mr. Goldsmith is presently a member of the team representing the New York State Common Retirement Fund and the New York City Pension Funds as lead plaintiffs in a high-profile securities class action against Countrywide Financial Corporation and its auditors and certain underwriters of its securities offerings. Mr. Goldsmith also represents the Genesee County (Mich.) Employees' Retirement System as a lead plaintiff in several securities matters including actions against Spectranetics Corporation, Merck & Co., and CBeyond, Inc., and previously against Transaction Systems Architects, Inc. He was instrumental in achieving a significant settlement in an action alleging stock option backdating at American Tower Corporation, and was a member of the team representing the Connecticut Retirement Plans and Trust Funds in an action against Waste Management, Inc. that resulted in one of the largest securities class action settlements ever achieved up to that time.

Mr. Goldsmith played a key role in a series of cases alleging that mutual funds sold by Van Kampen, Morgan Stanley and Eaton Vance defrauded investors by overpricing senior loan interests. Mr. Goldsmith obtained a decision in one of these actions excluding before trial certain opinions of a nationally recognized economist who regularly serves as a defense expert in such cases. In 2001, Mr. Goldsmith obtained one of the earliest decisions finding that a class action had been improperly removed under the Securities Litigation Uniform Standards Act of 1998.

Mr. Goldsmith has lectured frequently on class actions and securities litigation for continuing legal education programs and investment symposia.

Mr. Goldsmith earned B.A. and M.A. degrees from the University of Pennsylvania. He received a J.D. from the Benjamin N. Cardozo School of Law, where he was managing editor of the *Cardozo Arts & Entertainment Law Journal*. Mr. Goldsmith served as a judicial intern to the Honorable Michael B. Mukasey, then a United States District Judge for the Southern District of New York.

He is admitted to practice in New York and New Jersey as well as before the United States District Courts for the Southern and Eastern Districts of New York; the District of New Jersey; the District of Colorado; and the United States Courts of Appeals for the First, Second, Fifth and Eighth Circuits.

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***RICHARD T. JOFFE, OF COUNSEL***

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Richard Joffe's practice focuses on class action litigation, including securities fraud, antitrust and consumer fraud cases. Since joining the Firm, Mr. Joffe has represented such varied clients as institutional purchasers of corporate bonds, Wisconsin dairy farmers, and consumers who alleged they were defrauded when they purchased annuities. He played a key role in shareholders obtaining a \$303 million settlement of securities claims against General Motors and its outside auditor.

Prior to joining Labaton Sucharow, Mr. Joffe was an associate at Gibson, Dunn & Crutcher LLP, where he played a key role in obtaining a dismissal of claims against Merrill Lynch & Co. and a dozen other of America's largest investment banks and brokerage firms, who, in *Friedman v. Salomon/Smith Barney, Inc.*, were alleged to have conspired to fix the prices of initial public offerings.

Mr. Joffe also worked as an associate at Fried, Frank, Harris, Shriver & Jacobson where, among other things, in a case handled *pro bono*, he obtained a successful settlement for several older women who alleged they were victims of age and sex discrimination when they were selected for termination by New York City's Health and Hospitals Corporation during a city-wide reduction in force.

He co-authored "Protection Against Contribution and Indemnification Claims" in *Settlement Agreements in Commercial Disputes* (Aspen Law & Business, 2000).

Mr. Joffe earned a B.A., *summa cum laude*, from Columbia University in 1972, and a Ph.D. from Harvard University in 1984. He received a J.D. from Columbia Law School in 1993.

Mr. Joffe is admitted to practice in New York as well as before the United States District Courts for the Southern and Eastern Districts of New York, and the United States Courts of Appeals for the Second, Third and Eleventh Circuits. He is a member of the Association of the Bar of the City of New York and the American Bar Association.

Long before becoming a lawyer, Mr. Joffe was a founding member of the internationally famous rock and roll group, Sha Na Na.

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**SIDNEY S. LIEBESMAN, OF COUNSEL**

*sliebesman@labaton.com*

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Sidney S. Liebesman concentrates his practice on complex class action litigation involving shareholder rights, securities fraud, and consumer protection and shareholder derivative litigation.

Prior to joining Labaton Sucharow LLP, Mr. Liebesman served as a senior partner at a major, national securities law firm where he played major roles prosecuting many high profile securities fraud civil actions, including *In re Tyco International, Ltd. Securities Litigation*, *In re Enron Corp. Securities Litigation*, *In re WorldCom, Inc. Securities Litigation*, and *In re Global*

*Crossing Ltd. Securities Litigation.* Mr. Liebesman also played a central role in the landmark European settlement with Royal Dutch Shell in The Netherlands representing dozens of financial institutions worldwide.

Mr. Liebesman is a regular speaker on securities litigation and corporate governance at institutional investor gatherings throughout the United States, Canada, the United Kingdom, Japan, and Sweden. Mr. Liebesman presented to the World Bank in Washington D.C. in 2007 on “The Role of Good Governance in Economic Development.”

Mr. Liebesman is the co-author of the following articles: “Caught by the Net, What to Do if a Message Board Messes With Your Client,” *ABA Business Law Journal*, Vol. 10, No. 1, 2000; “Internet Message Board Litigation – Time Is Of The Essence,” *ABA Network*, Vol. 8, Issue 2, 2000; “Brief on Baseball’s Antitrust Exemption,” *Villanova Sports & Entertainment Law Forum* Vol. 2, 1995; and “Triggering an Obligation: Receipt of an EPA PRP Letter and Insurer’s Duty to Defend,” *Villanova Environmental Law Journal* Vol. 5, 1995.

Mr. Liebesman earned a B.A. from University of Delaware in 1986 and a J.D. from Villanova School of Law in 1995. During law school he was the editor of the *Villanova Environmental Law Journal* and a finalist in the 35th Annual Reimel Moot Court competition. Mr. Liebesman is the founder and former president of the Chesapeake Police & Fire Foundation, a charitable organization providing benefits to children of police officers, firefighters and other first responders killed in the line of duty.

Mr. Liebesman is admitted to practice in the Supreme Courts of the State of Delaware and the Commonwealth of Pennsylvania; the Court of Appeals for the State of New York; the United States Courts of Appeals for the First, Second, Third, and Fourth Circuits; the United States District Courts for the District of Delaware, Southern District of New York, and the

Eastern and Western Districts of Pennsylvania; and the United States Court of International Trade.

***STEPHEN J. LIEF, OF COUNSEL***

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Stephen J. Lief joins Labaton Sucharow with more than 25 years of expertise in technology and law practice management.

Prior to joining the firm, Mr. Lief served as the Director of Litigation Support at a New York-based securities litigation law firm, where he advised fellow attorneys on the latest in practical technology applications, including automated litigation support, document assembly and imaging, electronic trial presentation and voice recognition systems.

Mr. Lief is a regular speaker at CLE sessions at national, state, and local bar associations. He also is the author of the best selling book entitled, *A Busy Lawyer's Guide to Microsoft Word for Windows '95*. Mr. Lief has served as the Editor of numerous publications including: *Information Technology Law & Practice Newsletter*, *Law Products Magazine*, *AmLawTech Magazine*, *Law Technology Product News Magazine*, and *Legal Tech Newsletter*.

Mr. Lief earned a B.A. from Rutgers College in 1978, an M.B.A. from New York University Graduate School of Business in 1983, and received a J.D. from Benjamin N. Cardozo School of Law in 1982.

He is admitted to practice in New York.

***BRIAN D. PENNY, OF COUNSEL***

*bpenny@labaton.com*

Brian D. Penny concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors.

Mr. Penny is actively involved in prosecuting a number of the firm's options backdating cases, as well as other securities fraud cases against public companies. Mr. Penny played

significant roles in prosecuting *In re Monster Worldwide, Inc. Securities Litigation* (\$47.5 million settlement), as well as *In re Mercury Interactive Securities Litigation* (\$117.5 million settlement), which is one of the largest known settlements in a securities options backdating class action.

In addition, Mr. Penny participated in the prosecution of *In re AOL Time Warner Securities Litigation*, a massive securities fraud case that settled for \$2.5 billion, and *In re Broadcom Corporation Securities Litigation*, SA CV 01-0275(C.D. Cal.), which was a class action lawsuit against Broadcom Corp., its CEO, and CFO, alleging defendants violated Section 10(b) of the Exchange Act by using a series of acquisitions to hide expenses and materially inflate revenue. The case settled in 2005 for \$150 million.

Mr. Penny earned a B.A. from Davidson College in 1997, and a J.D. from Dickinson School of Law of the Pennsylvania State University in 2000. While in law school, he clerked for the Honorable John T.J. Kelly, Senior Judge on the Pennsylvania Superior Court.

Mr. Penny is admitted to practice in Pennsylvania.

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***PAUL SCARLATO, OF COUNSEL***

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Paul Scarlato has over 20 years' experience litigating complex commercial matters, primarily in the prosecution of securities fraud and consumer fraud class actions and shareholder derivative actions.

Mr. Scarlato has litigated numerous cases on behalf of institutional and individual investors involving companies in a broad range of industries, many of which involved financial statement manipulation and accounting fraud. Mr. Scarlato was one of three lead attorneys for the class in *Kaufman v. Motorola, Inc.*, a securities-fraud class action case that recovered \$25 million for investors just weeks before trial and, was one of the lead counsel in *Seidman v.*

*American Mobile Systems, Inc.*, a securities-fraud class action case that resulted in a favorable settlement for the class on the eve of trial. Mr. Scarlato also served as co-lead counsel in *In re: Corel Corporation Securities Litigation*, and as class counsel in *In re AOL Time Warner Securities Litigation*, a securities fraud class action that recovered \$2.5 billion for investors.

After law school, Mr. Scarlato served as law clerk to Judge Nelson Diaz of the Court of Common Pleas of Philadelphia County, and Justice James McDermott of the Pennsylvania Supreme Court. Thereafter, he worked in the tax department of a “big-six” accounting firm prior to entering private practice.

Mr. Scarlato earned a B.A. in Accounting from Moravian College in 1983 and a J.D. from Delaware Law School of Widener University in 1986.

He is admitted to practice in Pennsylvania and New Jersey.

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***MICHAEL W. STOCKER, OF COUNSEL***

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Michael W. Stocker represents clients in commercial litigation, with a primary focus on sophisticated antitrust and securities class action matters. His work has been recognized in *The National Law Journal*’s 2008 Plaintiffs’ Hot List.

Earlier in his career, Mr. Stocker worked as a senior staff attorney with the United States Court of Appeals for the Ninth Circuit, and completed a legal externship with United States Magistrate Judge (now District Judge) Phyllis J. Hamilton of the Northern District of California.

Mr. Stocker is the co-author of the following articles: “Trade talk: SEC facing thorny issues with flash trading, dark pools, naked access” (Opinion), *Pensions & Investments*, December 14, 2009; “Undermining Accounting Rules,” *Investment Week*, October 19, 2009; “Role of the Event Study in Loss Causation Analysis,” *New York Law Journal*, August 20, 2009; “Short Selling Reality Check,” *The Daily Deal*, May 27, 2009; “Japan’s Past Recession Provides

a Cautionary Tale," *The National Law Journal*, April 13, 2009; "Don't Repeat UBS's Mistake," *International Financial Law Review*, April 2009; "In Debt Crisis, An Arbitration Alternative," *The National Law Journal*, March 16, 2009; "Balancing the Scales: The Use of Confidential Witnesses in Securities Class Actions," *BNA's Securities Regulation & Law Report*, January 19, 2009; "Eyeing Executive Compensation," *The National Law Journal*, November 17, 2008; "Keys to Avoiding Compensation Suits," *Financial Executive*, July/August 2008; "Analysis of Abbott Laboratories Antitrust Litigation," *Pharmaceutical Law & Industry Report*, June 20, 2008; and "Tellabs: PSLRA Pleading Test Comparative, Not Absolute," *New York Law Journal*, October 3, 2007.

Mr. Stocker is also the Chief Contributor to "Eyes on Wall Street" ([www.eyesonwallstreet.com](http://www.eyesonwallstreet.com)), Labaton Sucharow's blog on economics, corporate governance, and other issues of interest to investors.

Mr. Stocker earned a B.A. from the University of California, Berkeley, in 1989, a J.D. from the University of California, Hastings College of Law, in 1995, and a Master of Criminology degree from the Law Department of the University of Sydney in 2000.

He is admitted to practice in California and New York as well as before the United States District Courts for the Northern and Central Districts of California, the Southern and Eastern Districts of New York, and the United States Courts of Appeals for the Second, Eighth and Ninth Circuits.

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***NICOLE M. ZEISS, OF COUNSEL***

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Nicole M. Zeiss works principally in the area of securities class action litigation. Before joining Labaton Sucharow, Ms. Zeiss worked for MFY Legal Services, practicing in the area of

poverty law and at Gaynor & Bass doing general complex civil litigation, particularly representing the rights of freelance writers seeking copyright enforcement.

Ms. Zeiss was part of the team that successfully litigated *In re Bristol-Myers Squibb Securities Litigation*. Labaton Sucharow was able to secure a \$185 million settlement on behalf of investors, as well as meaningful corporate governance reforms that will affect future consumers and investors alike. She has also litigated on behalf of investors who have been damaged by fraud in the telecommunications, hedge fund and banking industries.

Ms. Zeiss maintains a commitment to *pro bono* legal services by continuing to assist mentally ill clients in a variety of matters—from eviction proceedings to trust administration.

Ms. Zeiss earned a B.A. from Barnard College in 1991 and a J.D. from Benjamin N. Cardozo School of Law in 1995. She is admitted to practice in New York.

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***BENJAMIN D. BIANCO, ASSOCIATE***

***bbianco@labaton.com***

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Benjamin D. Bianco concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors. Currently, Mr. Bianco is actively prosecuting *In re NovaGold Resources Inc. Securities Litigation*.

Prior to joining Labaton Sucharow LLP, Mr. Bianco served as a litigation associate at O'Melveny & Myers LLP, where he practiced complex commercial litigation in federal and state courts, before international arbitration panels, and proceedings before the U.S. Securities and Exchange Commission, with a particular focus on antitrust, insurance, and securities fraud matters. He began his career at Sidley Austin LLP, where he also worked as a litigation associate.

Mr. Bianco earned a B.A. from Gonzaga University in 1999, and a J.D., *cum laude*, from Brooklyn Law School in 2002. During law school, Mr. Bianco served as Vice President of

Brooklyn Law School's Moot Court Honor Society. In addition to being a recipient of the Order of the Barristers Award, he was also a member of the *Journal of Law and Policy*.

Mr. Bianco is admitted to practice in New York, and before the United States District Courts for the Southern and Eastern Districts of New York.

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***JOHN BOCKWOLDT, ASSOCIATE***

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John B. Bockwoldt concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors.

Prior to joining Labaton Sucharow, Mr. Bockwoldt worked as an attorney in private practice, where he primarily litigated copyright and trademark infringement actions.

Mr. Bockwoldt received a B.A., *cum laude*, from the State University of Albany in 2003 and earned a J.D. from Brooklyn Law School in 2007. During law school, he served as a judicial intern to the Honorable Kiyo A. Matsumoto, former Magistrate Judge, and currently a United States District Judge for the Eastern District of New York.

Mr. Bockwoldt is admitted to practice in New York as well as the United States District Courts for the Southern and Eastern Districts of New York. Mr. Bockwoldt is a member of the New York State Bar Association, The Association of the Bar of the City of New York, and the New York County Lawyers' Association.

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***LINDSAY R. CANTOR, ASSOCIATE***

***lcantor@labaton.com***

Lindsay R. Cantor concentrates her practice on prosecuting complex securities fraud cases on behalf of institutional investors.

Prior to joining Labaton Sucharow, Ms. Cantor was an attorney at Feldman, Weinstein & Smith LLP, where she worked in the corporate and securities practice specializing in reverse mergers, corporate and securities law.

Ms. Cantor received a B.A., *summa cum laude*, from Emory University in 2004, where she was a member of Phi Beta Kappa and an annual member of the Dean's List. She received a J.D. from Benjamin N. Cardozo School of Law in 2007. During law school, she served as a law clerk at the Court of Common Pleas of Philadelphia in the Trial Division.

She is admitted to practice in New York and New Jersey as well as the United States District Court of New Jersey.

Ms. Cantor is fluent in French and proficient in Spanish.

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**TARA CHURCH, ASSOCIATE**

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Tara Church concentrates her practice on prosecuting complex securities fraud cases on behalf of institutional investors. Currently, Ms. Church is actively involved in *In re Broadcom Corp. Securities Litigation*.

Prior to joining Labaton Sucharow, Ms. Church was a litigation associate at Quinn Emanuel Urquhart Oliver & Hedges, LLP where she worked for plaintiffs on three separate \$10 billion lawsuits related to the collapse of Parmalat S.p.A. She began her career as a complex commercial litigation associate at White & Case LLP.

From 2007-2008, Ms. Church served as the executive director and general counsel of Wealth & Giving Forum, a nonprofit that promotes philanthropy. She is the founder and chairperson of Tree Musketeers, a national nonprofit that she established at age eight, which empowers children to plant trees. She received the 2007 L'Oreal Woman of Worth honor and President Clinton's Volunteer Action Award.

Ms. Church received a B.A. from the University of Southern California in 2000, where she graduated *magna cum laude* and with Phi Beta Kappa honors. She earned a J.D. from Harvard Law School in 2003.

Ms. Church is admitted to practice in New York and California.

***JOSHUA L. CROWELL, ASSOCIATE***

***jcrowell@labaton.com***

Joshua L. Crowell concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors.

Prior to joining Labaton Sucharow, Mr. Crowell served as a litigation associate at Paul, Hastings, Janofsky & Walker LLP, where he represented clients primarily in the areas of financial, securitization, environmental, and class action litigation. Mr. Crowell began his career at Ernst & Young LLP, where he worked as a senior economics consultant by pricing intercompany transactions and calculating the value of intellectual property.

Mr. Crowell maintains a strong commitment to *pro bono* work. He received the Sanctuary for Families “Above and Beyond” award for *pro bono* representation of battered women, and most recently represented a woman in a civil suit brought by her abusive ex-husband’s father.

Mr. Crowell earned a B.A. from Carleton College in 1999, and received a J.D., *cum laude*, from The George Washington University Law School in 2006. During law school, he was an associate of *The George Washington Law Review* where he published the casenote: *Jurisdiction over Interlocutory Appeals Under the Federal Arbitration Act Absent an Arbitration Agreement*, 73 Geo. Wash. L. Rev. 767 (2005). In addition to being a member of the Mock Trial Board, he also served as a law intern for Chief Judge Edward J. Damich, United States Court of Federal Claims.

Mr. Crowell is admitted to practice in New York and the United States District Courts for the Southern and Eastern Districts of New York.

***DONALD P. DELANEY, ASSOCIATE******ddelaney@labaton.com***

Don Delaney concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors. Since joining the Firm, he has been a member of the team serving as Lead Counsel in the *In re American International Group, Inc. Securities Litigation*. He also is actively involved in prosecuting *In re Banco Santander Securities-Optimal Litigation*, a case alleging that Defendants were negligent and reckless in investing substantially all of the assets of the Strategic US Equity Fund with Madoff and Bernard L. Madoff Investment Securities LLC.

Mr. Delaney is an experienced trial lawyer having successfully first-chaired several jury trials, both civil and criminal, in federal and state court. Prior to joining Labaton Sucharow, Mr. Delaney was an Assistant Attorney General for the State of New York. In that capacity, he obtained substantial civil litigation experience in the Southern and Eastern Districts of New York. Mr. Delaney also has significant litigation experience through his work as a public defender at Legal Aid. He began his legal career as an associate with a major international law firm in New York.

Mr. Delaney maintains a strong commitment to *pro bono* work, and frequently serves as a mediator or arbitrator in community disputes.

Mr. Delaney earned a B.S. from New York University's Leonard N. Stern School of Business and a J.D. from the University of Michigan Law School, where he was an editor of the *Michigan Journal of Race and Law*. Prior to attending law school, Mr. Delaney was a Research Analyst in the Mergers and Acquisitions department of a preeminent U.S. investment bank.

Mr. Delaney is admitted to practice in New York as well as before the United States District Courts for the Southern and Eastern Districts of New York, and the United States Court of Appeals for the Second Circuit. An active member of the Bar, he is a member of the

Committee on Professional Discipline for the Association of the Bar of the City of New York, the Federal Courts Committee for the New York County Lawyers' Association, and the Section on Dispute Resolution for the New York State Bar Association.

***MINDY S. DOLGOFF, ASSOCIATE***

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Mindy S. Dolgoff concentrates her practice on prosecuting complex securities fraud cases on behalf of institutional investors.

Prior to joining Labaton Sucharow, Ms. Dolgoff was an attorney at Dewey & LeBoeuf LLP, where she represented clients in connection with all aspects of complex litigation practice including securities fraud class action and shareholder derivative suits.

Ms. Dolgoff received a B.A. from Emory University in 2001, where she was an annual member of the Dean's List. She received a J.D. from New York University School of Law in 2004. During law school, Ms. Dolgoff served as the senior staff editor of the Environmental Law Journal.

She is admitted to practice in New York.

***LLOYD DONDERS, ASSOCIATE***

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Lloyd Donders concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors.

Prior to joining Labaton Sucharow, Mr. Donders was an attorney with several Plaintiff class action law firms, where he practiced complex litigation including securities and antitrust class actions. Before his law career, Mr. Donders was an Information Technology consultant with Credit Suisse First Boston, where he analyzed financial statements and assisted in the design of valuation models for investment bankers.

Mr. Donders received a B.S. from Binghamton University in 1995 and received a J.D. from Brooklyn Law School in 1999.

He is admitted to practice in New York as well as the United States District Courts for the Southern and Eastern Districts of New York. He is a member of New York State Bar Association: Business Law Section Committee on Securities Regulation.

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***ALAN I. ELLMAN, ASSOCIATE***

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Alan I. Ellman concentrates his practice in the area of securities litigation, with a particular emphasis on litigation strategy, lead plaintiff motion practice, and new case development. Mr. Ellman investigates, together with the Firm's team of investigators and forensic accountants, potential actions for institutional investors damaged by corporate wrongdoing. Currently, Mr. Ellman is actively involved in prosecuting *In re Satyam Computer Services Ltd. Securities Litigation*. Since joining Labaton Sucharow, Mr. Ellman has been responsible for prosecuting *In re Bear Stearns Companies, Inc. Securities Litigation* and the stock options backdating case *In re Mercury Interactive Corp. Securities Litigation*, which resulted in a \$117.5 million settlement.

In September 2006, Mr. Ellman received a Volunteer and Leadership Award from Housing Conservation Coordinators (HCC) for his *pro bono* service defending a client in Housing Court against a non-payment action, arguing an appeal before the Appellate Term, and staffing HCC's legal clinic. Mr. Ellman also successfully appealed a *pro bono* client's criminal sentence before the Appellate Division.

Mr. Ellman authored the article "US Focus: Time for Action" in the U.K.'s *Legal Week*. Prior to joining Labaton Sucharow, Mr. Ellman practiced securities litigation and regulatory enforcement defense as an associate at Chadbourne & Parke LLP.

Mr. Ellman received B.S. and B.A. degrees, *cum laude*, from Binghamton University in 1999, and earned a J.D. from Georgetown University Law Center in 2003.

He is admitted to practice in New York as well as before the United States District Courts for the Southern and Eastern Districts of New York, the District of Colorado, and the Eastern District of Wisconsin.

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**THOMAS G. HOFFMAN, JR., ASSOCIATE**

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Thomas G. Hoffman, Jr. concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors.

Prior to joining Labaton Sucharow, Mr. Hoffman served as a litigation associate at Latham & Watkins LLP, where he practiced complex commercial litigation in federal and state courts. While at Latham & Watkins, Mr. Hoffman's areas of practice included audit defense and securities litigation. He has represented clients in several significant securities class actions, including *In re Scottish Re Group Ltd. Securities Litigation* and *In re UnitedHealth Group Inc. PSLRA Litigation*.

Mr. Hoffman maintains a strong commitment to pro bono work. He received the Outstanding Pro Bono Service award from The Legal Aid Society for work on a Special Immigrant Juvenile Status matter, and he also supervised the Courtroom Advocates Program, in which summer associates act as advocates for victims of domestic violence.

Mr. Hoffman earned a B.F.A., with honors, from New York University in 1995, and a J.D. from UCLA School of Law in 2004. During law school he was Editor-in-Chief of the *UCLA Entertainment Law Review* and a Moot Court Executive Board Member. In addition, he served as a Judicial Extern to the Honorable William J. Rea, United States District Court for the Central District of California.

Mr. Hoffman is admitted to practice in New York and before the United States District Courts for the Southern and Eastern Districts of New York.

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**SERENA HALLOWELL, ASSOCIATE**

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Serena Hallowell concentrates her practice on prosecuting complex securities fraud cases on behalf of institutional investors.

Prior to joining Labaton Sucharow, Ms. Hallowell was an attorney at Ohrenstein & Brown LLP, where she participated in various federal and state commercial litigation matters. During her time there, she also defended financial companies in regulatory proceedings and assisted in high-profile coverage litigation matters in connection with mutual funds trading investigations.

Ms. Hallowell received a B.A. from Occidental College in 1999 and a J.D. from Boston University School of Law in 2003, where she served as the Note Editor for the *Journal of Science & Technology Law*.

She is admitted to practice in New York and the United States District Courts for the Southern and Eastern Districts of New York.

Ms. Hallowell is conversational in Urdu/Hindi.

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**NICHOLAS R. HECTOR, ASSOCIATE**

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Nicholas R. Hector concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors. Currently, Mr. Hector is actively involved in *In re Broadcom Corp. Securities Litigation*.

Mr. Hector is a regular contributor to “Eyes on Wall Street” ([www.eyesonwallstreet.com](http://www.eyesonwallstreet.com)), Labaton Sucharow’s blog on economics, corporate governance, and other issues of interest to investors.

Mr. Hector, a full tuition trustee scholar, earned a B.S. in Mechanical Engineering from the University of Southern California in 2004. He graduated on the dean's list. Mr. Hector received a J.D. from Brooklyn Law School in 2008. During law school, he was an active member of the Student Bar Association, and acted as the student representative for the American Bar Association. Mr. Hector also served as a legal intern at the Legal Aid Society of New York, Criminal Division, Spring 2008.

Mr. Hector is admitted to practice in New York as well as before the United States District Courts for the Southern and Eastern Districts of New York.

***JULIE HWANG, ASSOCIATE***

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Julie Hwang concentrates her practice on prosecuting complex securities fraud cases on behalf of institutional investors.

Ms. Hwang is a regular contributor to "Eyes On Wall Street" ([www.eyesonwallstreet.com](http://www.eyesonwallstreet.com)), Labaton Sucharow's blog on economics, corporate governance, and other issues of interest to investors.

Ms. Hwang earned a B.A. from the University of California, Los Angeles in 2003 and a J.D. from Brooklyn Law School in 2007. During law school, she served as a summer associate at Labaton Sucharow, where she researched and drafted memoranda in the areas of securities law, antitrust, civil procedure and professional responsibility. Ms. Hwang also served as a student law clerk for the Honorable Joseph M. McLaughlin, U.S. Court of Appeals, Second Circuit, and was a legal intern for the King's County District Attorney.

She is admitted to practice in New York as well as before the United States District Courts for the Southern and Eastern Districts of New York. Ms. Hwang is a member of the New

York County Lawyers' Association and the Association of the Bar of the City of New York, where she is a member of the Asian Affairs Committee.

Ms. Hwang is proficient in Korean.

***FELICIA MANN, ASSOCIATE***

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Felicia Mann concentrates her practice on prosecuting complex securities fraud cases on behalf of institutional investors.

Ms. Mann received a B.S. in Finance and International Business from Georgetown University in 2001 and a J.D. from Brooklyn Law School in 2009. During her time at law school, she earned the CALI Award for Excellence in Legal Drafting. She also served as a summer associate at Labaton Sucharow, where she drafted memoranda related to securities and antitrust law. Additionally, she served as a Judicial Intern in the U.S. District Court of the Eastern District of New York for the Honorable Dora Irizarry, and was an intern for the Bureau of Securities in the New Jersey Attorney General's Office.

Prior to practicing law, Ms. Mann was a financial analyst and assistant vice president at Marsh Inc. in its market security group where she evaluated and monitored the financial condition of U.S. and European insurers.

Ms. Mann is admitted to practice in New York. She is a member of the American Bar Association.

***MICHAEL MARKUNAS, ASSOCIATE***

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Michael Markunas concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors.

Prior to joining Labaton Sucharow, Mr. Markunas practiced as a consulting attorney. As a seasoned broker-dealer and Registered Investment Advisor with broad regulatory and legal

experience, Mr. Markunas responded to SEC inquiries into alleged financial improprieties, investigated potential antitrust violations in complex municipal bond swap transactions, and conducted investigations into the mis-marking of Credit Default Swaps to determine firm versus individual liability for select transactions.

Prior to practicing law, Mr. Markunas was a branch manager and compliance officer for A.G. Edwards & Sons and Prudential Securities. Mr. Markunas is a Level II candidate for the CFA charter and is an active member of the Compliance and Legal division of SIFMA. In addition, he is registered with FINRA and has a series 3, 7, 8 and 63 license.

Mr. Markunas earned a B.A. and an M.B.A. in corporate finance graduating with honors from Loyola Marymount University. He received a J.D. from the University of San Diego School of Law in 2007, where he was a finalist in the Jessop International Moot Court competition.

He is admitted to practice in New York and New Jersey.

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***CRAIG A. MARTIN, ASSOCIATE***

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Craig A. Martin concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors. Mr. Martin is a member of the Labaton Sucharow team representing the Successor Liquidating Trustee of Lipper Convertibles, L.P. and Lipper Fixed Income Fund, L.P., failed convertible hedge funds, in actions against the Fund's former independent auditors and members of the Fund's management team. He is also a member of the Labaton Sucharow team actively litigating *In re HealthSouth Securities Litigation*.

Prior to practicing law, Mr. Martin, a Certified Public Accountant, worked in finance, accounting and auditing positions. At Marsh & McLennan Companies, he developed and implemented working capital metrics, and valued and analyzed potential M&A transactions. In

addition, he worked for a Fortune 500 pharmaceutical company, where he was responsible for analyzing the monthly performance of the pharmaceutical operations. Mr. Martin began his professional career at Deloitte & Touche, where, for almost five years, he specialized in auditing financial services companies. Mr. Martin's previous business experience adds further depth to the Labaton Sucharow team in assessing, asserting and litigating securities claims.

Mr. Martin earned a B.S. in Accounting from Ithaca College in 1990. He earned a J.D. in 2004 from Seton Hall University's School of Law. While in law school, Mr. Martin was a participant in the Eugene Gressman Moot Court Competition, was appointed a member of the Appellate Advocacy Moot Court Board, and was awarded Best Brief and Best Oralist in his Appellate Advocacy class. In 2004, Mr. Martin earned an M.B.A. from New York University's Leonard N. Stern School of Business.

Mr. Martin is admitted to practice in New York, New Jersey and the U.S. District Court of New Jersey. He is a member of the American Institute of Certified Public Accountants, New Jersey Society of Certified Public Accountants and the American Bar Association.

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***MATTHEW C. MOEHLMAN, ASSOCIATE***

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Matthew C. Moehlman concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors. He is currently a member of the litigation team prosecuting *In re Amgen Inc. Securities Litigation*.

Prior to joining Labaton Sucharow, Mr. Moehlman practiced securities litigation at Bernstein Litowitz Berger & Grossmann LLP, where he was a member of the teams on several of the firm's high profile cases, including the securities class action against the Federal Home Loan Mortgage Corporation ("Freddie Mac"), in which a \$410 million settlement was obtained for defrauded investors and *In re Delphi Corporation Securities Litigation*, which resulted in a

settlement with a potential value of over \$322 million in cash and stock. He was also a member of the teams that successfully prosecuted *In re SFBC International, Inc. Securities & Derivatives Litigation*, resulting in a settlement of \$28.5 million and *In re Suprema Specialties, Inc. Securities Litigation*, resulting in a settlement of \$19 million in cash. Mr. Moehlman began his career as an associate at Strasburger & Price, LLP and has experience in commercial litigation.

Mr. Moehlman earned an A.B. from Harvard College in 1992 and received a J.D. from the University of Virginia School of Law in 2003. During college, he was the Editor of *The Harvard Lampoon* magazine and *The Harvard Crimson* newspaper.

Mr. Moehlman is admitted to practice in New York and Texas.

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***ANGELINA NGUYEN, ASSOCIATE***

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Angelina Nguyen concentrates her practice on prosecuting complex securities fraud cases on behalf of institutional investors.

Prior to joining Labaton Sucharow, Ms. Nguyen was an associate at Quinn, Emanuel, Urquhart, Oliver & Hedges LLP. Ms. Nguyen began her career as an associate at Skadden, Arps, Slate, Meagher & Flom LLP, where she worked on the *Worldcom Securities Litigation*.

Ms. Nguyen earned a B.S. in Chemistry and Mathematics, with first class honors, from the University of London, Queen Mary and Westfield College, in 1996. She received a J.D. from Harvard Law School in 2003.

Ms. Nguyen is admitted to practice in New York.

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***BARRY M. OKUN, ASSOCIATE***

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Barry Michael Okun is a seasoned trial and appellate lawyer with more than 20 years' experience in a broad range of commercial litigation. Mr. Okun has litigated several leading

commercial law cases, including the first case in which the United States Supreme Court ruled on issues relating to products liability.

Mr. Okun has argued appeals before the United States Court of Appeals for the Second Circuit and the Appellate Divisions of three out of the four judicial departments in New York State. He has appeared in numerous trial courts throughout the country.

Mr. Okun received a B.A. from the State University of New York at Binghamton and is a *cum laude* graduate of the Boston University School of Law, where he was Articles Editor of the *Law Review*.

He is admitted to practice in New York and before the United States Supreme Court, the United States Court of Appeals for the First, Second, Seventh and Eleventh Circuits, and the United States District Courts for the Southern and Eastern Districts of New York.

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***MICHAEL H. ROGERS, ASSOCIATE***

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Michael H. Rogers concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors. Currently, Mr. Rogers is actively involved in *In re Countrywide Securities Litigation* and *In re HealthSouth Securities Litigation*. He was a member of a team that secured a \$117.5 million settlement in *In re Mercury Interactive Securities Litigation*, which is one of the largest settlements to date in an options backdating class action.

Prior to joining Labaton Sucharow, Mr. Rogers was an attorney at Kasowitz, Benson, Torres & Friedman LLP, where he practiced securities and antitrust litigation, representing international banking institutions bringing federal securities and other claims against major banks, auditing firms, ratings agencies and individuals in complex multidistrict litigation. He also represented an international chemical shipping firm in arbitration of antitrust and other claims against conspirator ship owners.

Mr. Rogers began his career as an attorney at Sullivan & Cromwell, where he was part of Microsoft's defense team in the remedies phase of the Department of Justice antitrust action against the company.

Mr. Rogers received a B.A., *magna cum laude*, from Columbia University in 1995, and a J.D., *magna cum laude*, from the Benjamin N. Cardozo School of Law in 2001, where he was a member of the *Cardozo Law Review*.

He is admitted to practice in New York as well as before the United States District Courts for the Southern and Eastern Districts of New York.

Mr. Rogers is proficient in Spanish.

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**KRISTA T. ROSEN, ASSOCIATE**

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Krista T. Rosen concentrates her practice on prosecuting complex securities fraud cases on behalf of institutional investors. She is a member of the team litigating the federal securities fraud class action against AIG, representing as Lead Plaintiff several Ohio pension funds.

Ms. Rosen earned a B.A. from Bowdoin College in 2002 and a J.D. from the Benjamin N. Cardozo School of Law in 2006. During law school, she was selected to participate in the Securities Arbitration Clinic, where she represented investors in arbitration actions against securities brokers. Additionally, Ms. Rosen served as the Articles Editor of the *Cardozo Law Review*. In March 2006, she was awarded third place in the 2005-2006 national writing competition sponsored by the Association of Securities and Exchange Commission Alumni (ASECA) for her Note entitled "Staying in Court While Staying Discovery: Finding Exceptions for Government-Produced Documents Under the PSLRA."

Ms. Rosen is admitted to practice in New York and Massachusetts as well as before the United States District Court for the Southern District of New York.

***ERIN H. RUMP, ASSOCIATE******erump@labaton.com***

Erin H. Rump concentrates her practice on prosecuting complex securities fraud cases on behalf of institutional investors. Since joining the Firm, she has been a member of the Lead Counsel teams litigating consolidated securities class actions against British Petroleum and NovaGold.

Ms. Rump earned a B.A. from Villanova University in 2004 and received a J.D. from Brooklyn Law School in 2008. While in law school, Ms. Rump worked as a Judicial Intern in the U.S. District Court for the Eastern District of New York for Magistrate Judge Cheryl Pollak.

Ms. Rump is admitted to practice in New York as well as before the United States District Court for the Southern District of New York. She is a member of the New York State Bar Association, the Association of the Bar of the City of New York, the American Bar Association, and the Federal Bar Council.

***DAVID V. SACK, ASSOCIATE******dsack@labaton.com***

David V. Sack concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors.

Prior to joining Labaton Sucharow, Mr. Sack was a litigation associate at O'Melveny & Myers LLP, where he represented a healthcare company and individual defendants in a securities fraud litigation arising out of alleged stock-options backdating. Mr. Sack's practice also included antitrust litigation and a high-profile merger case involving the airline industry in connection with a Department of Justice Second Request.

Mr. Sack maintains a strong commitment to pro bono work. Among his work, he has assisted Hurricane Katrina victims in their efforts to obtain benefits from FEMA, represented a

prisoner in his 1983 civil rights action, and most recently, he assisted in an immigration appeal that resulted in a successful grant of asylum for a Nepali refugee.

Mr. Sack earned a B.A. in philosophy and French from Columbia University in 2002, and a J.D. from the University of Michigan Law School in 2006. During law school, he was a Cambodian Law Fellow for the Human Rights in Cambodia Project in Phnom Penh, Cambodia, and a law extern at the Legal Resources Centre in Johannesburg, South Africa.

Mr. Sack is admitted to practice in New York and before the United States District Courts for the Southern and Eastern Districts of New York.

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***JESSE STRAUSS, ASSOCIATE***

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Jesse Strauss concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors.

Prior to joining Labaton Sucharow, Mr. Strauss served as a law clerk for the Honorable Dora L. Irizarry, U.S. District Court for the Eastern District of New York. He began his career at Blank Rome LLP, where he worked as a litigation associate. During his time there, he assisted in the trial of three matters, with one resulting in a multi-million dollar verdict in New York State Supreme Court in a fraud case.

Mr. Strauss maintains a strong commitment to *pro bono* work. Most recently, he traveled to Ghana for 10 weeks to assist an organization that mediates land disputes and works toward land reform.

Mr. Strauss earned a B.A. from The George Washington University in 1999, and received a J.D., *cum laude*, from Brooklyn Law School in 2003. During law school, he was the co-chair of the Brooklyn Law Students for the Public Interest as well as a Note & Comments Editor for the *Journal of Law and Policy*. In addition to being a Richardson Merit Scholar, he was also the

recipient of the Edward V. Sparer Public Interest Fellowship where he was a student law clerk for the NAACP Legal Defense and Education Fund in Los Angeles, CA.

Mr. Strauss is admitted to practice in New York and the United States District Courts for the Southern and Eastern Districts of New York

***STEFANIE J. SUNDEL, ASSOCIATE***

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Stefanie J. Sundel concentrates her practice on prosecuting complex securities fraud cases on behalf of institutional investors, with a particular emphasis on litigation strategy and new case development.

Since joining Labaton Sucharow, Ms. Sundel has been responsible for prosecuting several of the Firm's cases, including *In re Satyam Computer Services Ltd. Securities Litigation*, *In re Countrywide Financial Corp. Securities Litigation*, *In re Mercury Interactive Securities Litigation*, and the securities litigations against BP and Vivendi.

Ms. Sundel has the unique experience of participating in one of only eleven securities class action trials since the passage of the Private Securities Litigation Reform Act of 1995.

Having completed her undergraduate studies in Lugano, Switzerland, Ms. Sundel is active in educating European institutional investors on developing trends in the law, particularly the ability of international investors to participate in securities class actions in the United States.

Ms. Sundel is a regular contributor to "Eyes On Wall Street" ([www.eyesonwallstreet.com](http://www.eyesonwallstreet.com)), Labaton Sucharow's blog on economics, corporate governance, and other issues of interest to investors.

Ms. Sundel is a member of the NASCAT Women's Initiative, and also devotes time to pro bono matters affecting women's rights.

Prior to joining Labaton Sucharow, Ms. Sundel was an associate at New York City-based law firm where she was a member of the team litigating *In re Adelphia Communications Corp. Securities & Derivative Litigation*, arising out of one of the most egregious financial frauds ever uncovered at a public company.

An active member of the New York State Bar Association's Committee on Ethics and Professionalism, Ms. Sundel published an article in the *New York Litigator's* Spring 2008 Newsletter discussing revisions to the rules promulgated by the Committee on Standards of Attorney Conduct ("COSAC"), and also co-authored a Report on Proposed COSAC Rules & Revised Rules of Lawyer Advertising.

Ms. Sundel obtained a B.A. from Franklin College Switzerland in 2001, where she graduated *magna cum laude*. She received a J.D. from New York Law School with honors in 2004.

Ms. Sundel is admitted to practice in New York and before the United States District Court for the Southern District of New York. Ms. Sundel is a member of the American Bar Association, the New York State Bar Association, the Association of the Bar of the City of New York, and the New York County Lawyers' Association.

She is fluent in Italian.

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***STEPHEN W. TOUNTAS, ASSOCIATE***

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Stephen W. Tountas concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors. Currently, Mr. Tountas is actively involved in prosecuting *In re Broadcom Corp. Securities Litigation*, *In re Schering-Plough Corp. / ENHANCE Securities Litigation*, *In re Celestica Inc. Securities Litigation*, and two individual actions related to *In re Adelphia Communications Corp. Securities & Derivative Litigation*.

Since joining Labaton Sucharow, Mr. Tountas has been responsible for prosecuting several of the Firm's options backdating cases, including *In re HCC Insurance Holdings, Inc. Securities Litigation* (\$10 million settlement), and *In re American Tower Corp. Securities Litigation* (\$14 million settlement). Among other matters, Mr. Tountas was also a member of the team responsible for prosecuting *In re VERITAS Software Corp. Securities Litigation*, which settled for \$21.5 million.

Prior to joining Labaton Sucharow, Mr. Tountas practiced securities litigation at Bernstein Litowitz Berger & Grossmann LLP, where he prosecuted securities class actions on behalf of institutional investors. During his time there, he prosecuted the *In re OM Group, Inc. Securities Litigation*, which resulted in a settlement of \$92.4 million, as well as securities cases involving Biovail Corp., MasTec, Inc., Collins & Aikman Corp. and Scottish Re Group. His work on the securities class action against Biovail Corp. contributed to a settlement of \$138 million.

Mr. Tountas earned a B.A. from Union College in 2000 and a J.D. from Washington University School of Law in 2003. As a law student, he served as Editor-in-Chief of the *Washington University Journal of Law & Policy* and was a finalist in the Environmental Law Moot Court Competition. Additionally, Mr. Tountas worked as Research Assistant to Joel Seligman, one of the country's foremost experts on securities law. In May 2003, he received the Scribe's Award in recognition of his Note entitled, *Carnivore: Is the Regulation of Wireless Technology a Legally Viable Option to Curtail the Growth of Cybercrime?*, 11 Wash. U. J.L. & Pol'y 351.

Mr. Tountas is admitted to practice in New York and New Jersey, and before the United States District Court for the Southern District of New York, the United States District Court for the District of New Jersey, and the United States Court of Appeals for the Ninth Circuit.

***CAROL C. VILLEGAS, ASSOCIATE***

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Carol C. Villegas concentrates her practice on prosecuting complex securities fraud cases on behalf of institutional investors.

Prior to joining Labaton Sucharow, Ms. Villegas served as the Assistant District Attorney in the Supreme Court Bureau, for the Richmond County District Attorney's Office. In addition to participating in all aspects of case management, she first and second seated numerous trials, selected juries, argued pre-trial motions, prepared witnesses for testimony, and engaged in direct cross examination.

Ms. Villegas began her career at King & Spalding LLP where she worked as an associate in the Intellectual Property practice group. During her time there, she drafted letters, motions, briefs, stipulations, and memoranda, as well as engaged in discovery and extensive legal research.

Ms. Villegas maintains a strong commitment to *pro bono* work. As a volunteer attorney with Inmotion, Inc., she drafted divorce and Violence Against Women Act (VAWA) pleadings, as well as counseled women in the areas of matrimonial, family and immigration law.

Ms. Villegas earned a B.A. from New York University in 1999, and received a J.D. from the New York University School of Law in 2002. During law school, she was the Staff Editor, and later became the Notes Editor, of the *Environmental Law Journal*. On a merit based scholarship, Ms. Villegas was awarded The Irving H. Jurow Achievement Award for the Study

of Law, as well as being a recipient of the Association of the Bar of the City of New York Minority Fellowship.

Ms. Villegas is admitted to practice in New York, New Jersey and the United States District Courts for New Jersey and the Southern and Eastern Districts of New York.

Ms. Villegas is fluent in Spanish.

***ETHAN D. WOHL, ASSOCIATE***

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Ethan D. Wohl practices in the areas of securities and transactional shareholder litigation. Securities fraud class actions in which Mr. Wohl has played an active role include *In re IBM Securities Litigation*, *In re Amgen Securities Litigation* and *In re Countrywide Securities Litigation*. Transactional matters include *In re DirecTV Shareholders Litigation* and *In re John Q. Hammons Hotels Shareholders Litigation*. Mr. Wohl has also represented major U.S. and European institutional investors in evaluating and prosecuting individual securities fraud cases.

Prior to joining Labaton Sucharow, Mr. Wohl established a community-based job training program for ex-offenders in Brooklyn, New York. He previously served in management positions at New York City's housing and welfare agencies and as the general counsel of the New York City Housing Partnership. Earlier in his career, he practiced law at a large New York law firm.

Mr. Wohl's recent publications include "Death of the Worldwide Class?," BNA *Securities Regulation & Law Report*, June 22, 2009; "The Bulwark of Private Enforcement," *Pensions Age*, January 6, 2009; "Executive Compensation -- Despite Reforms, Pay Is Less Transparent and Shareholder-Friendly Than in the Past," *New York Law Journal*, March 20, 2008; and "When Does a Company Intend to Lie?," *Andrews Securities Litigation & Regulation Reporter*, April 4, 2007.

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